

## THIRTY-SEVENTH DAY

## Monday, March 24, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:10 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Chaplain Daniel White of the U.S. Army Mission Command, after which the Roll was called showing all members present with the exception of Representatives Carroll, Chang, Evans, Nakasone and Waters, who were excused.

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

## GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 280) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 280, dated March 18, 2008, transmitting the Department of Human Services' Report as required by Act 256, SLH 2006.

## SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 374 through 376) were received and announced by the Clerk:

Sen. Com. No. 374, transmitting H.B. No. 118, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," which passed Third Reading in the Senate on March 20, 2008.

Sen. Com. No. 375, transmitting H.B. No. 2908, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS," which passed Third Reading in the Senate on March 20, 2008.

Sen. Com. No. 376, transmitting H.B. No. 3161, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 20, 2008.

Representative Caldwell moved to disagree to the amendments made by the Senate to the following House bills, seconded by Representative B. Oshiro and carried: (Representatives Carroll, Chang, Evans, Nakasone and Waters were excused.)

H.B. No. 118, SD 1  
H.B. No. 2908, SD 1  
H.B. No. 3161, SD 3

## INTRODUCTIONS

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

Representative Takamine introduced student leaders from Kohala High School, and Paauilo Elementary and Intermediate School. They were accompanied by their advisors, Ms. Billie Brown, Ms. Melody Nietfeld, and Mr. Dean Alip.

Representative Shimabukuro introduced Mr. Michael O'Conner, a teacher at Waianae High School, and winner of the 2007 Time Warner Cable National Teacher Award.

Representative Green introduced Ms. Yannabah Lewis, a teacher at Kealakehe High School, and winner of the 2007 Milken Family National Educator award.

Representative Ward introduced former Representative Mark Moses, currently the Director of the Office of Veterans' Affairs.

Representative Magaoay introduced Mr. Paul Burnett, Jr., a teacher from Waialua Elementary School, and winner of the 2006 Presidential Award of Excellence in Mathematics and Science Teaching.

Representative Wakai introduced middle school students from the Rinyu Institute of Saitama, Japan. They were accompanied by their teachers, Clarita Salon, Tadao Kazuka, and Koshiro Tanaka.

Representative Saiki introduced Ms. Shari Kaneshiro, a teacher at Hokulani Elementary School and recipient of the 2006 Presidential Award of Excellence in Mathematics and Science Teaching. She was accompanied by her husband, Mr. Kevin Kaneshiro; her children, Shayne, Keenen and Kameron; and Hokulani Principal, Mr. Al Carganella.

Representative Takumi, on behalf of Representatives Lee and Yamane, introduced Ms. Any Perruso, a teacher at Mililani High School, and the 2007 Wal-Mart and Sam's Club State Teacher of the Year.

## ORDER OF THE DAY

## COMMITTEE REASSIGNMENTS

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

<u>S.B. Nos.</u>	<u>Re-referred to:</u>
2157, SD1, HD1	Committee on Health, then to the Committee on Finance
2932, SD3, HD1	Committee on Energy & Environmental Protection, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS  
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 320) was announced by the Clerk and the following action taken:

H.R. No. 320, entitled: "HOUSE RESOLUTION COMMEMORATING THE PROUD LEGACY OF SERVICE MEN AND WOMEN IN THE UNITED STATES ARMY RESERVE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE," was jointly offered by Representatives Bertram, Caldwell, Ching, Evans, Finnegan, Lee, Meyer, Mizuno, Takai, Yamane, Yamashita and Hanohano.

Representative Bertram moved that H.R. No. 320 be adopted, seconded by Representative Takai.

Representative Bertram recognized the history of the U.S. Army Reserve and on behalf of the U.S. Army Reserves 9th Regional Mission Command, introduced Colonel Patrick Slowey and Command Sergeant Major Joven Miranda, who were seated on the floor of the House.

Representative Takai recognized Lt. Col. Rida Cabanilla who serves in the U.S. Army Reserves.

Representative Takai then introduced the following members of the U.S. Army Reserves 9th Regional Mission Command seated on the floor of the House:

SPC Justin Monico;  
 CW5 Dennis Kekona;  
 SSG Freddie Cantorna;  
 SGT Brandon Collado;  
 SPC May Smith;  
 2NDLT John Mercado;  
 CPT Haz Anguay;  
 MSG Noleen Tunstall;  
 SFC Stephen Harris;  
 SGT Stephen Wilson;  
 SPC Ernest Keuman;  
 SPC Christopher McClain;  
 SPC Chanelcherie Kalai;  
 PFC Toso Foifua;  
 PFC Faatautui Amata;  
 MAJ Anthony and children, Lauren and Brandon;  
 COL. Wright;  
 LT Lowell;  
 SFC Robinson;  
 SPC Tolsiko;  
 SFC Cox;  
 SGT. Carter;  
 SGT Wilkinson;  
 SSGT Iglo;  
 SSGT Cochlin;  
 SPC Andai; and  
 1SG Brian.

Representative Ward further recognized the armed services and thanked the following who served in uniform, Representatives Cabanilla, Chang, Ito, Souki and Takai.

The motion was put to vote by the Chair and carried, and H.R. No. 320 was adopted with Representatives Carroll, Chang, Evans, Nakasone and Waters being excused.

The following resolution (H.R. No. 321) was announced by the Clerk and the following action taken:

H.R. No. 321, entitled: "HOUSE RESOLUTION COMMEMORATING THE PROUD LEGACY OF FILIPINO SERVICE MEN AND WOMEN IN THE UNITED STATES ARMY RESERVE ON THE OCCASION OF THE 100TH ANNIVERSARY OF THE UNITED STATES ARMY RESERVE," was jointly offered by Representatives Cabanilla, Ching, Evans, Finnegan, Lee, Meyer, Mizuno, Takai, Yamane, Yamashita and Hanohano.

Representative Cabanilla moved that H.R. No. 321 be adopted, seconded by Representative Magaoay.

Representative Cabanilla recognized the role of Filipinos in the armed services and recognized the members of the 1st and 2nd Filipino Regiment, who were seated in the gallery.

Representative Cabanilla then recognized the members of the U.S. Armed Forces of the Far East, the Guerillas, the Filipino Scout, the Bolomen, the Women's Auxiliary Service, Colonel Flor Quatro and Colonel Joselito Olegario, who were seated in the gallery.

Representative Cabanilla then introduced Lieutenant Colonel Joseph Trinidad and Staff Sergeant Rene Baliscoa, representing the Filipino service men in the U.S. Army Reserve, who were seated on the floor of the House.

Representative Magaoay then recognized the following from the 1st and 2nd Filipino Infantry Regiment of the U.S. Army Reserves, who were seated in the gallery:

Commander Ben Achihido;  
 Vice Commander Jose Saromines;  
 Chaplain Domingo Los Banos;  
 Mr. Guillermo Alejado;  
 Mr. Lucio Sanico;  
 Mrs. Nancy Walch, President of the Filipino Nurses Organization;  
 Master Sergeant Romeo Jacinto;  
 Mrs. Maggie Domingo, Veteran Community Leader;  
 Mrs. Hermie Pestana;  
 SPC Justin Monico;  
 MSG Jennifer Guerror; and  
 SGT Travis Lacaden.

Representative Cabanilla then introduced Lt Col Reuben Bilong and Mrs. Abby Shaw, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 321 was adopted with Representatives Carroll, Chang, Evans, Nakasone and Waters being excused.

Representative Pine then recognized the Filipino service men for their patriotism and service to the United States and recognized her grandfather, Mr. Miguel Marcos, who was also a Filipino veteran.

At 12:43 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:48 o'clock p.m.

#### STANDING COMMITTEE REPORTS

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1351-08), recommending that H.C.R. No. 170, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," was referred to the Committee on Finance with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1352-08), recommending that H.R. No. 245, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 245, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII AND SUPPORTING COMMUNITY MEMBERS TO MOVE EXPEDITIOUSLY TO IMPLEMENT PLANS FOR THE CONSTRUCTION OF THE CANCER RESEARCH CENTER OF HAWAII AT KAKAAKO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1353-08), recommending that H.C.R. No. 294, be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 294, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII AND SUPPORTING COMMUNITY MEMBERS TO MOVE EXPEDITIOUSLY TO IMPLEMENT PLANS FOR THE CONSTRUCTION OF THE CANCER RESEARCH CENTER OF HAWAII AT KAKAAKO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1354-08), recommending that H.R. No. 246, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 246, entitled: "HOUSE RESOLUTION OFFERING SUPPORT TO THE UNIVERSITY OF HAWAII IN ITS EFFORTS TO ENHANCE AND DIVERSIFY ITS SOURCES OF REVENUE AND MAXIMIZE USE OF ITS FACILITIES," was referred to the Committee on Finance with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1355-08), recommending that H.C.R. No. 295, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 295, entitled: "HOUSE CONCURRENT RESOLUTION OFFERING SUPPORT TO THE UNIVERSITY OF HAWAII IN ITS EFFORTS TO ENHANCE AND DIVERSIFY ITS SOURCES OF REVENUE AND MAXIMIZE USE OF ITS FACILITIES," was referred to the Committee on Finance with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1356-08), recommending that H.R. No. 260, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 260, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS LAND LEASE WITH THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO CONTINUE TO OPERATE THE MANOA INNOVATION CENTER," was referred to the Committee on Economic Development & Business Concerns with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1357-08), recommending that H.C.R. No. 312, be referred to the Committee on Economic Development & Business Concerns.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 312, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO EXTEND ITS LAND LEASE WITH THE HIGH TECHNOLOGY DEVELOPMENT CORPORATION TO CONTINUE TO OPERATE THE MANOA INNOVATION CENTER," was referred to the Committee on Economic Development & Business Concerns with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1358-08), recommending that H.R. No. 135, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 135, entitled: "HOUSE RESOLUTION URGING CONGRESS TO PASS LEGISLATION REQUIRING FULL FUNDING OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT," was referred to the Committee on Finance with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1359-08), recommending that H.C.R. No. 162, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO PASS LEGISLATION REQUIRING FULL FUNDING OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 AND THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT," was referred to the Committee on Finance with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1360-08), recommending that H.R. No. 193, be referred to the Committee on Higher Education; and

(Stand. Com. Rep. No. 1361-08), recommending that H.C.R. No. 226, be referred to the Committee on Higher Education.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 193 and H.C.R. No. 226, be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of both measures with reservations, stating:

"I'd like to register an aye vote with reservations. This is a resolution requesting the University of Hawaii's John A. Burns School of Medicine to provide admission preference to students that mirror the demographics of rural health professional shortage areas.

"I'm just not comfortable with this preferential admission. I think that the school should not be doing this. I have to confess, I don't have the resolution in front of me and I don't know how much detail they go into to describing this, persons that fit the preferential profile. But I think that our medical school should be looking for the best and brightest. That's what I think is appropriate. Thank you."

Representative Green rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I am in support of my resolutions. The point of this is to open up a dialog. Historically, as we know, we've been talking a lot about the shortage of physicians in rural Hawaii, especially in the health profession shortage areas.

"The Medical School does a great job in admitting our best and brightest, no question about it. On average, for the last decade plus, the number of Neighbor Island students that have been admitted to the Medical School has been six out of a class of about 60. So when you're only admitting about six students from all the Neighbor

Islands, and the other 50 some are from Oahu, and then four or five from the mainland, what the effect is, is a wonderful thing. We have young doctors coming in from Oahu and they tend to stay in Oahu. But it does perpetuate that shortage.

"It's a very difficult situation to recruit young doctors back in our communities. And also we spend a lot of time talking about having our best and brightest from the Neighbors Islands, homegrown, our physicians coming to JABSOM and thriving. So I think that there's no question that we can find some happy medium of getting enough doctors from those public schools, especially some of the private school on the Neighbors Islands, getting them into the Medical School and sending them back to the Neighbor Islands to where we need them the most. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 193, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S JOHN A. BURNS SCHOOL OF MEDICINE TO PROVIDE ADMISSION PREFERENCE TO STUDENTS THAT MIRRORS THE DEMOGRAPHICS OF RURAL HEALTH PROFESSIONAL SHORTAGE AREAS OF THE STATE TO ADDRESS THE SHORTAGE OF PHYSICIANS ON OUR NEIGHBOR ISLANDS," was referred to the Committee on Higher Education with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused; and

H.C.R. No. 226, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S JOHN A. BURNS SCHOOL OF MEDICINE TO PROVIDE ADMISSION PREFERENCE TO STUDENTS THAT MIRRORS THE DEMOGRAPHICS OF RURAL HEALTH PROFESSIONAL SHORTAGE AREAS OF THE STATE TO ADDRESS THE SHORTAGE OF PHYSICIANS ON OUR NEIGHBOR ISLANDS," was referred to the Committee on Higher Education with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1362-08), recommending that H.C.R. No. 62, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 62, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was referred to the Committee on Legislative Management with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1363-08), recommending that H.R. No. 99, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 99, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AGRICULTURAL DIAGNOSTIC SERVICE CENTER, IN CONSULTATION WITH OTHER PUBLIC AND PRIVATE ENTITIES, TO CARRY OUT A SURVEY OF INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY, AND ASSESS WHETHER THE HAWAII AGRICULTURAL INFORMATION CENTER CAN MEET THE INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY," was referred to the Committee on Higher Education with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1364-08), recommending that H.C.R. No. 116, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 116, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AGRICULTURAL DIAGNOSTIC SERVICE CENTER, IN CONSULTATION WITH OTHER PUBLIC AND PRIVATE ENTITIES, TO CARRY OUT A SURVEY OF INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY, AND ASSESS WHETHER THE HAWAII AGRICULTURAL INFORMATION CENTER CAN MEET THE INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY," was referred to the Committee on Higher Education with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1365-08), recommending that H.C.R. No. 50, as amended in HD 1, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 50, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A STUDY TO DETERMINE WHETHER WEDDING AND MODEL PHOTOGRAPHERS SHOULD BE LICENSED BY THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS," was referred to the Committee on Legislative Management with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1366-08), recommending that H.R. No. 127, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 127, entitled: "HOUSE RESOLUTION URGING HAWAII'S HEALTH INSURERS TO PROVIDE COVERAGE FOR FEES CHARGED FOR LETTERS PROVIDED BY A PHYSICIAN AS VERIFICATION OF A PATIENT'S DISABILITY OR OTHER CONDITION FOR WHICH SUBSTANTIATION IS NECESSARY," was referred to the Committee on Consumer Protection & Commerce with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1367-08), recommending that H.C.R. No. 148, be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 148, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S HEALTH INSURERS TO PROVIDE COVERAGE FOR FEES CHARGED FOR LETTERS PROVIDED BY A PHYSICIAN AS VERIFICATION OF A PATIENT'S DISABILITY OR OTHER CONDITION FOR WHICH SUBSTANTIATION IS NECESSARY," was referred to the Committee on Consumer Protection & Commerce with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1368-08), recommending that H.R. No. 202, as amended in HD 1, be referred to the Committee on Legislative Management; and

(Stand. Com. Rep. No. 1369-08), recommending that H.C.R. No. 239, as amended in HD 1, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 202, HD 1, and H.C.R. No. 239, HD 1, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"I wish to speak with some minor reservations on SCR 1368-08. This is for a study on St. Francis providing kidney care to patients at all five stages. We are all aware that St. Francis is one of the leading healthcare institutions and providers now of kidney care throughout the State. However, I am kind of at a loss and wonder why we are looking particularly at this disease and this institution. And therein lies my concern.

"As far as the medical impact, you can look at the impact of cancer, the impact of heart disease, the impact of any other major disease that we have. But choosing this institution and this disease lead me to some concern. So I would like the Chair and the maker of this resolution possibly to speak on it and kind of enlighten me a little bit. Thank you, very much."

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

"Thank you, Mr. Speaker. In deference to Speaker Emeritus, the purpose of this resolution is mainly to look at this institution because they have been providing, not just advanced care in renal disease, but in providing dialysis in a very important way to much of this State. Recently, economics have threatened their ability to continue to provide that service. If it goes down because it is not economically feasible based on whatever may happen, low reimbursements from State and federal, and so on, we lose one of our main hubs to treat renal failure.

"And so I think that was the purpose of the focus on this organization. But I think all of the points that were made were very well taken."

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

"Mr. Speaker, I rise in favor of the resolution. Having spoken to one of the health officials in one of the major hospitals this morning, they said that it's very, very important that that particular service be maintained. It's in jeopardy within the next five to six months. That it could be seriously in jeopardy, which means this resolution is very timely. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 202, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT STUDIES ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACTS TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES," was referred to the Committee on Legislative Management with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused; and

H.C.R. No. 239, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE

BUREAU AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO CONDUCT STUDIES ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACTS TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES," was referred to the Committee on Legislative Management with Representatives Cabanilla, Carroll, Chang, Evans, Nakasone and Tokioka being excused.

At 12:55 o'clock p.m., Representative McKelvey requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:56 o'clock p.m.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1370-08) recommending that H.R. No. 57, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 57, entitled: "HOUSE RESOLUTION SUPPORT OF SURPLUS LINES INSURANCE MULTI-STATE COMPLIANCE COMPACT," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1371-08) recommending that H.C.R. No. 66, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORT OF SURPLUS LINES INSURANCE MULTI-STATE COMPLIANCE COMPACT," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1372-08) recommending that H.R. No. 102, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 102, HD 1, entitled: "HOUSE RESOLUTION RECOMMENDING THAT REALTORS PROMOTE THE PRINCIPLES OF UNIVERSAL DESIGN," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1373-08) recommending that H.C.R. No. 120, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 120, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT REALTORS PROMOTE THE PRINCIPLES OF UNIVERSAL DESIGN," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1374-08) recommending that H.R. No. 7, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 7, HD 1, entitled: "HOUSE RESOLUTION A RESOLUTION TO COMMEMORATE MARCH

13 AS WORLD KIDNEY DAY AND THE MONTH OF MARCH AS KIDNEY AWARENESS MONTH IN THE STATE OF HAWAII," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1375-08) recommending that H.C.R. No. 6, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 6, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION A RESOLUTION TO COMMEMORATE MARCH 13 AS WORLD KIDNEY DAY AND THE MONTH OF MARCH AS KIDNEY AWARENESS MONTH IN THE STATE OF HAWAII," was adopted, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

### SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka were excused.)

### THIRD READING

#### S.B. No. 2748, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 2748, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, thank you very much. I will be voting for this Senate Bill 2748, SD 1 HD1, with reservations. I think the bill is greatly improved. It started out as something that had many testifiers in opposition. It would have required bidders to submit verifiable proof of all applicable trade licenses along with the bids, when they are proposals. And it has been changed to say upon award of contract which is some improvement. And it gives the bidders a lot more time in getting their list of subcontractors together.

"But because of the large amount of testimony, and because we have not been able to hear from these testifiers since this last Committee Report, I will be voting with reservations and will see what happens in Conference Committee. Thank you, very much."

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

#### S.B. No. 2827, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2827, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

#### S.B. No. 2395, SD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2395, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka being excused.

At 12:59 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2748, SD 1, HD 1  
S.B. No. 2827, SD 1, HD 1  
S.B. No. 2395, SD 2

### ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, I'd like to add a very important addendum to my commending of the veterans who now serve in this body. I overlooked a very proud four-year Marine. Someone who we know, who probably explains why he was a Marine. And he is Representative Alex Sonson. My apologies for overlooking your four years in the Marine Corps."

Representative Karamatsu "I'd like to make an announcement. Your Committee on Water, Land, Ocean Resources & Hawaiian Affairs Committee will be continuing our 10:30 Agenda, we are going to have decision making in Room 312. We also have the 11:00 a.m. Agenda jointly with Water, Land and Agriculture at 2:00 p.m. in Room 312 with decision making."

Representative Sonson: "Thank you for the correction from the Representative from Aina Haina. I'd also like the body to know and for the particular Representative to note that the Representative from Mililani also served in the Navy as a nurse during her younger days as a Lieutenant. Thank you, very much."

Representative Nishimoto: "Thank you, Mr. Speaker. Your Committee on Transportation will be holding decision making at 2:00 p.m. in Room 309. Thank you."

### ADJOURNMENT

At 1:01 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 25, 2008. (Representatives Cabanilla, Carroll, Chang, Evans, Har, Nakasone and Tokioka were excused.)

**HOUSE COMMUNICATION**

House Communication dated March 24, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has disagreed to the amendments made by the Senate to the following House bills:

H.B. No. 118, SD 1  
H.B. No. 2908, SD 1  
H.B. No. 3161, SD 3