THE

TWENTY-FOURTH LEGISLATURE

STATE OF HAWAII

REGULAR SESSION OF 2008

JOURNAL OF THE HOUSE

FIRST DAY

Wednesday, January 16, 2008

In accordance with the provisions of Section 10, Article III of the Constitution of the State of Hawaii, the House of Representatives of the Legislature of the State of Hawaii, convened in Regular Session of 2008, with the Clerk announcing:

"In 1908, one year after legislation was signed into law establishing a State institution of higher learning, five freshman, five prep students, and thirteen faculty members began regular classes in quarters near Thomas Square.

"One hundred years later, the University of Hawaii is the home of the most diverse student body in the nation, with students striving for excellence in the classroom and in their extracurricular pursuits; and students who are tomorrow's leaders, as evidence by the 37 House Members on the Floor today who are UH alumni, including the Speaker of the House.

"The University of Hawaii is the home of dedicated faculty, lectures and researchers who persevere in efforts to provide students on campuses and community colleges statewide, a more challenging curriculum, which promotes innovation and lifelong learning.

"The University of Hawaii is the home of visionary and forthright leaders and administrators and hardworking staff.

"And finally, the University of Hawaii is home to the some of the most talented, inspiring, beloved student athletes and nationally recognized coaches.

"It is an honor of the Hawaii House of Representatives to celebrate the 100th Centennial anniversary of the University of Hawaii."

The Honorable Calvin K.Y. Say, Speaker of the House of Representatives, then called the House to order at 10:00 o'clock a.m.

The members of the House, guests, and audience rose for the presentation of our Nation's and our State's Colors by the University of Hawaii at Manoa Army and Air Force Reserve Officer Training Corps.

Singing of *The National Anthem* and *Hawaii Pono'i* was led by the University of Hawaii Chamber Singers, followed by the recitation of the *Pledge of Allegiance* led by Ms. Christina Stidman, President of the Associated Students of the University of Hawaii, and Mr. Marc Le Pape, President of the Graduate Student Organization.

The invocation was then delivered by Ms. Kapa Oliveira from the University of Hawaii at Manoa, Kawaihuelani Center for Hawaiian Language, after which the Roll was called showing all members present.

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
1968	Committee on Judiciary
1969	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
1970	Committee on Consumer Protection & Commerce
1971	Committee on Health, then to the Committee on Education
1972	Committee on Transportation, then to the Committee on Finance
1973	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
1974	Committee on International Affairs
1975	Committee on International Affairs
1976	Committee on Judiciary
1977	Committee on Transportation, then to the Committee on Judiciary
1978	Committee on Judiciary
1979	Committee on Labor & Public Employment, then to the Committee on Finance
1980	Committee on Transportation, then to the Committee on Judiciary
1981	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce
1982	Committee on Labor & Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance
1983	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
1984	Committee on Human Services & Housing, then to the Committee on Judiciary
1985	Committee on Human Services & Housing, then to the Committee on Judiciary
1986	Committee on Judiciary
1987	Committee on Transportation, then to the Committee on Judiciary

1988 Jointly to the Committee on Agriculture and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

1989 Committee on Public Safety & Military Affairs, then to the Committee on Finance

1990 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

1991 Committee on Education, then to the Committee on Finance

1992 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1993 Committee on Health, then to the Committee on Finance

1994 Committee on Finance

1995 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

1996 Committee on Health, then to the Committee on Finance

1997 Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance

1998 Committee on Human Services & Housing, then to the Committee on Finance

1999 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2000 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2001 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

2002 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

2003 Committee on Energy & Environmental Protection, then to the Committee on Finance

2004 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

2005 Committee on Energy & Environmental Protection, then to the Committee on Finance

2006 Committee on Judiciary, then to the Committee on Finance

2007 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

2008 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2009 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2010 Committee on Health, then to the Committee on Judiciary

2011 Committee on Health, then to the Committee on Consumer Protection & Commerce

2012 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2013 Committee on Health, then to the Committee on Consumer Protection & Commerce

2014 Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2015 Committee on Health, then to the Committee on Consumer Protection & Commerce

2016 Committee on Health, then to the Committee on Consumer Protection & Commerce

2017 Committee on Labor & Public Employment

2018 Committee on Labor & Public Employment, then to the Committee on Finance

2019 Committee on Finance

2020 Jointly to the Committee on Higher Education and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2021 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2022 Committee on Health, then to the Committee on Finance

2023 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

2024 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2025 Committee on Health, then to the Committee on Judiciary

2026 Committee on Education, then to the Committee on Finance

2027 Committee on Human Services & Housing, then to the Committee on Finance

2028 Committee on Judiciary, then to the Committee on Finance

2029 Committee on Education, then to the Committee on Health, then to the Committee on Finance

2030 Jointly to the Committee on Human Services & Housing and the Committee on Education, then to the Committee on Finance

2031 Committee on Education, then to the Committee on Finance

2032 Committee on International Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2033 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2034 Committee on Transportation, then to the Committee on Judiciary

2035 Committee on Education, then to the Committee on Finance

2036 Committee on Human Services & Housing, then to the Committee on Judiciary

2037 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2038 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2039 Committee on Human Services & Housing, then to the Committee on Finance

2040 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2041 Committee on Labor & Public Employment, then to the Committee on Finance

2042 Committee on Human Services & Housing, then to the Committee on Judiciary

2043 Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

2044 Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

2045 Jointly to the Committee on Higher Education and the Committee on International Affairs, then to the Committee on Finance

2046 Committee on Human Services & Housing, then to the Committee on Finance

2047 Committee on Human Services & Housing, then to the Committee on Finance

2048 Committee on Education, then to the Committee on Finance

2049 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2050 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2051 Committee on Human Services & Housing, then to the Committee on Education, then to the Committee on Finance

2052 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2053 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2054 Committee on Health, then to the Committee on Consumer Protection & Commerce

2055 Committee on Transportation, then to the Committee on Finance

2056 Committee on Transportation, then to the Committee on Finance

2057 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

2058 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2059 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2060 Committee on Transportation, then to the Committee on Judiciary

2061 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

2062 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2063 Committee on Health, then to the Committee on Finance

2064 Committee on Legislative Management, then to the Committee on Finance

2065 Committee on Health, then to the Committee on Consumer Protection & Commerce

2066 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

2067 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2068 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

2069 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2070 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2071 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2072 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance

2073 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2074 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2075 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

2076 Committee on Public Safety & Military Affairs, then jointly to the Committee on Energy & Environmental Protection and the Committee on Health, then to the Committee on Finance

2077 Committee on Health, then to the Committee on Consumer Protection & Commerce

2078 Committee on Human Services & Housing

2079 Committee on Human Services & Housing

2080 Committee on Human Services & Housing

2081 Committee on Human Services & Housing

2082 Committee on Human Services & Housing

2083 Committee on Agriculture, then to the Committee on Finance

2084 Committee on Higher Education, then to the Committee on Finance

2085 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2086 Committee on Economic Development & Business Concerns

2087 Committee on Economic Development & Business Concerns

2088 Committee on Economic Development & Business Concerns

2089 Committee on Economic Development & Business Concerns

2090 Committee on Economic Development & Business Concerns

2091 Committee on Energy & Environmental Protection, then to the Committee on Finance

2092 Committee on Energy & Environmental Protection, then to the Committee on Finance

2093 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

2094 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2095 Committee on Finance

2096 Committee on Finance

2097 Committee on Finance

2098 Committee on Finance

2099 Committee on Finance

2100 Committee on Finance

2101 Committee on Energy & Environmental Protection, then to the Committee on Finance

2102 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2103 Committee on Energy & Environmental Protection

2104 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2105 Committee on Energy & Environmental Protection, then to the Committee on Finance

2106 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

2107 Committee on Energy & Environmental Protection, then to the Committee on Finance

2108 Committee on Energy & Environmental Protection, then to the Committee on Transportation

2109 Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance

2110 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

2111 Jointly to the Committee on Health and the Committee on Human Services and Housing, then to the Committee on Judiciary, then to the Committee on Finance

2112 Jointly to the Committee on Health and the Committee on Human Services & Housing, then the Committee on Finance

2113 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2114 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2115 Jointly to the Committee on Health and the Committee on Human Services & Housing

2116 Committee on Higher Education, then jointly to the Committee on Health and the Committee on Human Services and Housing, then to the Committee on Finance

2117 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2118 Committee on Health, then to the Committee on Finance

2119 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2120 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce

2121 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2122 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2123 Committee on Consumer Protection & Commerce, then to the Committee on Transportation, then to the Committee on Finance

2124 Committee on Energy & Environmental Protection, then to the Committee on Finance

2125 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2126 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2127 Committee on Health, then to the Committee on Judiciary

2128 Committee on Human Services & Housing, then to the Committee on Judiciary

2129 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2130 Committee on Health, then to the Committee on Judiciary

2131 Committee on Health, then to the Committee on Judiciary

2132 Committee on Health, then to the Committee on Judiciary

2133 Committee on Higher Committee on Education, then to the Committee on Health, then to the Committee on Finance

2134 Committee on Higher Education, then to the Committee on Health, then to the Committee on Finance

2135 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2136 Committee on Human Services & Housing, then to the Committee on Finance

2137 Committee on Health, then to the Committee on Finance

2138 Committee on Health, then to the Committee on Human Services & Housing

2139 Committee on Health, then to the Committee on Judiciary

2140 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2141 Committee on Health, then to the Committee on Education, then to the Committee on Finance

2142 Committee on International Affairs, then to the Committee on Education, then to the Committee on Finance

2143 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2144 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2145 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2146 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2147 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2148 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

2149 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2150 Committee on Health, then to the Committee on Consumer Protection & Commerce

2151 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2152 Committee on Public Safety & Military Affairs

2153 Committee on Public Safety & Military Affairs

2154 Committee on Public Safety & Military Affairs

2155 Committee on Public Safety & Military Affairs

2156 Committee on Public Safety & Military Affairs

2157 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

2158 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing, then to the Committee on Judiciary

2159 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2160 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2161 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2162 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2163 Committee on Higher Education, then to the Committee on Finance

2164 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

2165 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Consumer Protection & Commerce

2166 Jointly to the Committee on Higher Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2167 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2168 Committee on Energy & Environmental Protection, then to the Committee on Finance

2169 Committee on Health

2170 Committee on Health

2171 Committee on Health

2172 Committee on Health

2173 Committee on Health

2174 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Health, then to the Committee on Finance

2175 Committee on Consumer Protection and Commerce, then to the Committee on Finance

2176 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2177 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2178 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

2179 Committee on Health, then to the Committee on Judiciary

2180 Committee on Education, then to the Committee on Judiciary

2181 Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 1968 through 2366) passed First Reading by title and were referred to Printing:

H. B. Nos.

1968 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representatives Sonson, Awana, Mizuno, Lee, Nakasone and Souki.

1969 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Nakasone, Awana, Green, Lee and Souki.

1970 "A BILL FOR AN ACT RELATING TO PREPAID CALLING CARDS."

Introduced by: Representative Takai.

1971 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representative Takai.

1972 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representative Takai.

1973 "A BILL FOR AN ACT RELATING TO AN ENVIRONMENTAL COURT."

Introduced by: Representative Bertram.

1974 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Representative Cabanilla.

1975 "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS."

Introduced by: Representative Cabanilla.

1976 "A BILL FOR AN ACT RELATING TO CONSTRUCTION OF LAWS."

Introduced by: Representatives Rhoads and Brower.

1977 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Rhoads and Brower.

1978 "A BILL FOR AN ACT RELATING TO PUBLIC ORDER."

Introduced by: Representatives Rhoads and Brower.

1979 "A BILL FOR AN ACT RELATING TO STATE SALARIES."

Introduced by: Representatives Rhoads and Brower.

1980 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representatives Rhoads and Brower.

1981 "A BILL FOR AN ACT RELATING TO WASTE PREVENTION."

Introduced by: Representatives Rhoads and Brower.

1982 "A BILL FOR AN ACT RELATING TO CUSTOMER SERVICE."

Introduced by: Representatives Rhoads and Brower.

1983 "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES."

Introduced by: Representatives Rhoads and Brower.

1984 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Rhoads and Brower.

1985 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Rhoads.

1986 "A BILL FOR AN ACT RELATING TO NEWS MEDIA PRIVILEGE."

Introduced by: Representative Ward.

1987 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Evans.

1988 "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS."

Introduced by: Representatives Evans, Herkes and Tsuji.

1989 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representative Evans.

1990 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representative Evans.

1991 "A BILL FOR AN ACT RELATING TO THE STATE PUBLIC LIBRARY SYSTEM."

Introduced by: Representative Evans.

1992 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."

Introduced by: Representative Green.

1993 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green, Bertram, Brower, Mizuno, Rhoads and Ward.

1994 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Green.

1995 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representatives Green and Mizuno.

1996 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Green, Brower, Mizuno and Ward.

1997 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Representatives Green, Awana, Brower, Mizuno, Morita and Ward.

1998 "A BILL FOR AN ACT RELATING TO THE NUMBER OF BLIND, DEAF, AND DEAF-BLIND PERSONS IN THE STATE OF HAWAII."

Introduced by: Representative Shimabukuro.

1999 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Shimabukuro.

2000 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representative Shimabukuro.

2001 "A BILL FOR AN ACT RELATING TO TELEPHARMACY."

Introduced by: Representatives Morita, Carroll, Hanohano, Herkes, Sagum and Tokioka.

2002 "A BILL FOR AN ACT RELATING TO DEPOSIT BEVERAGE CONTAINERS."

Introduced by: Representatives Morita and Takai.

2003 "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM."

Introduced by: Representatives Morita and Carroll.

2004 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES."

Introduced by: Representatives Morita and Carroll.

2005 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Morita and Carroll.

2006 "A BILL FOR AN ACT RELATING TO ATTACHMENT AND EXECUTION."

Introduced by: Representative Evans.

2007 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representatives Evans and Har.

2008 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY."

Introduced by: Representative Evans.

2009 "A BILL FOR AN ACT RELATING TO CORRECTIONS."

Introduced by: Representative Evans.

2010 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Representative Marumoto.

2011 "A BILL FOR AN ACT RELATING TO BREAST CANCER."

Introduced by: Representatives Green, Awana, Brower, Cabanilla, Mizuno, Ward and Belatti.

2012 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE REIMBURSEMENTS."

Introduced by: Representatives Green, Awana, Belatti, Cabanilla, Mizuno, Rhoads and Ward.

2013 "A BILL FOR AN ACT RELATING TO CANCER."

Introduced by: Representatives Green, Awana, Cabanilla, Mizuno, Belatti, Bertram and Rhoads.

2014 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green, Awana, Belatti, Bertram, Cabanilla, Mizuno, Rhoads and Brower.

2015 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green, Awana, Cabanilla, Mizuno, Belatti, Bertram and Rhoads.

2016 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green, Awana, Cabanilla, Mizuno and Belatti.

2017 "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION."

Introduced by: Representative Nakasone.

2018 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Nakasone.

2019 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AFFORDABLE HOUSING AND A VETERANS CENTER."

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

2020 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT."

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

2021 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."

Introduced by: Representative Nishimoto, by request.

2022 "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH."

Introduced by: Representatives Mizuno, Awana, Cabanilla, Ching, Green, Marumoto, Meyer, Belatti, Brower, Carroll, Har, Magaoay, Rhoads, Sagum, Shimabukuro and Sonson.

2023 "A BILL FOR AN ACT RELATING TO DRUG ADDICTION TREATMENT."

Introduced by: Representatives Mizuno, Awana, Cabanilla, Ching, Har, Marumoto, Meyer, Shimabukuro, Carroll, Magaoay, Sagum and Sonson.

2024 "A BILL FOR AN ACT RELATING TO CRIMINAL PROCEDURE."

Introduced by: Representatives Mizuno, Awana, Brower, Carroll, Ching, Green, Marumoto, Meyer, Sonson, Thielen, Ward, Har, Sagum and Shimabukuro.

2025 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representatives Mizuno, Awana, Ching, Green, Marumoto, M. Oshiro, Rhoads, Shimabukuro, Thielen, Brower, Cabanilla, Carroll, Magaoay, Sagum and Sonson.

2026 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO HIRE TEACHERS THROUGH THE TEACH FOR AMERICA PROGRAM."

Introduced by: Representatives Mizuno, Ching, Green, Marumoto, Meyer, Thielen, Awana and Belatti.

2027 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Mizuno, Awana, Ching, Har, Marumoto and Thielen.

2028 "A BILL FOR AN ACT RELATING TO THE INTERNET."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Cabanilla, Carroll, Ching, Har, Magaoay, Marumoto, Meyer, Sagum, Shimabukuro, Thielen, Ward, M. Oshiro and Sonson.

2029 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana, Ching, Marumoto, Meyer and Thielen.

2030 "A BILL FOR AN ACT RELATING TO SCHOOL-AGE CHILDREN."

Introduced by: Representatives Mizuno, Awana, Ching, Marumoto, Thielen and Green.

2031 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana, Ching, Green, Har, Marumoto, Thielen, Lee, Rhoads and Ward.

2032 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Carroll, Green, Magaoay, M. Oshiro, Shimabukuro, Thielen, Ward, Cabanilla, Rhoads, Sagum and Sonson.

2033 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Mizuno, Awana, Brower, Marumoto, Thielen and Ward.

2034 "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES."

Introduced by: Representatives Lee, Awana, Brower, Carroll, Har, Magaoay, Marumoto, Mizuno, M. Oshiro, Rhoads, Say, Shimabukuro, Thielen, Ward, Sagum and Sonson.

2035 "A BILL FOR AN ACT RELATING TO MINORS."

Introduced by: Representatives Mizuno, Awana, Belatti, Har, Marumoto and Thielen.

2036 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representatives Mizuno, Awana, Green, Har, Marumoto and Meyer.

2037 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representatives Mizuno, Marumoto and Thielen.

2038 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno and Har.

2039 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Mizuno and Belatti.

2040 "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY."

Introduced by: Representatives Mizuno, Awana, Brower, Marumoto, Meyer and Ward.

2041 "A BILL FOR AN ACT RELATING TO THE PUBLIC FINANCIAL EDUCATION AND ASSET BUILDING TASK FORCE."

Introduced by: Representatives Mizuno, Awana, Marumoto and Meyer.

2042 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representatives Mizuno and Awana.

2043 "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH."

Introduced by: Representatives Mizuno, Awana, Marumoto, Meyer, Thielen and Ward.

2044 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Representatives Marumoto, Awana, Shimabukuro, Thielen, Ward, Belatti, Brower, Carroll, Green, Lee, M. Oshiro, Rhoads, Sagum and Sonson.

2045 "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER."

Introduced by: Representatives Mizuno, Awana, Brower, Cabanilla, Carroll, Shimabukuro, Ward, Har, Magaoay and Sagum.

2046 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Representatives Mizuno, Lee, Marumoto, Awana and Rhoads.

2047 "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS."

Introduced by: Representatives Mizuno, Awana, Lee and Belatti.

2048 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno and Awana.

2049 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representatives Mizuno, Awana, Belatti and Cabanilla.

2050 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Mizuno, Awana, Marumoto, Meyer, Thielen, Ward, Belatti, Har and Rhoads.

2051 "A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN."

Introduced by: Representatives Mizuno, Awana, Marumoto, Meyer, Thielen and Green.

2052 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Ward, Awana, Belatti and Sonson.

2053 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Ward, Awana, Bertram, Finnegan, Belatti and Tsuji.

2054 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Ward, Awana, Belatti, Bertram, Finnegan, Mizuno, Pine, Sonson and Tsuji.

2055 "A BILL FOR AN ACT APPROPRIATING FUNDS FOR A PILOT PROJECT TO INCREASE BUS RIDERSHIP."

Introduced by: Representatives Ward, Awana, Bertram, Mizuno, Pine, Belatti, Finnegan, Rhoads and Sonson.

2056 "A BILL FOR AN ACT RELATING TO PEDESTRIAN SAFETY."

Introduced by: Representatives Mizuno, Belatti, Ching, Green, Har, Marumoto, Meyer, Sonson, Thielen, Ward and Rhoads.

2057 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Mizuno, Belatti, Ching, Har, Meyer and Sonson.

2058 "A BILL FOR AN ACT RELATING TO FINES FOR DRIVING UNDER THE INFLUENCE OF AN INTOXICANT."

Introduced by: Representatives Mizuno, Belatti, Ching, Green, Har, Marumoto, Thielen, Ward and Sonson.

2059 "A BILL FOR AN ACT RELATING TO CIGARETTES."

Introduced by: Representatives Mizuno, Caldwell, Green, Hanohano, Har, Manahan, Sonson, Thielen and Say.

2060 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Mizuno, Belatti, Har and Meyer.

2061 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Mizuno and Belatti.

2062 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE."

Introduced by: Representatives Mizuno, Belatti, Ching, Har, Marumoto, Meyer, Thielen and Ward.

2063 "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES."

Introduced by: Representatives Mizuno, Har, Lee, Marumoto, Meyer, Thielen, Ward and Sonson.

2064 "A BILL FOR AN ACT RELATING TO THE BUDGET."

Introduced by: Representatives Mizuno, Bertram, Rhoads, Belatti, Cabanilla, Caldwell, Chang, Chong, Manahan, M. Oshiro, Sagum, Say, Shimabukuro, Sonson and Tokioka.

2065 "A BILL FOR AN ACT RELATING TO OSTEOPOROSIS."

Introduced by: Representatives Mizuno, Har, Sonson, Thielen and Ward.

2066 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Evans and Har.

2067 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Evans.

2068 "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY."

Introduced by: Representative Evans.

2069 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

2070 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representative Evans.

2071 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Evans.

2072 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representative Evans.

2073 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Evans.

2074 "A BILL FOR AN ACT RELATING TO WATERCRAFT SAFETY."

Introduced by: Representative Evans.

2075 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE RATE FILINGS."

Introduced by: Representative Evans.

2076 "A BILL FOR AN ACT RELATING TO DEPLETED URANIUM."

Introduced by: Representative Evans.

2077 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Green, Awana, Belatti, Cabanilla and Mizuno.

2078 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

2079 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

2080 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

2081 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

2082 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Shimabukuro.

2083 "A BILL FOR AN ACT RELATING TO AGRICULTURAL PROCESSING FACILITIES."

Introduced by: Representatives Yamashita, Brower, Hanohano, Herkes, Tsuji, Wakai, Yamane and Chang.

2084 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Yamashita, Chong and Chang.

2085 "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION."

Introduced by: Representatives Yamashita, Tsuji, Yamane, Chong and Nakasone.

2086 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Representative Yamashita.

2087 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Yamashita.

2088 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Representative Yamashita.

2089 "A BILL FOR AN ACT RELATING TO THE INNOVATION ECONOMY."

Introduced by: Representative Yamashita.

2090 "A BILL FOR AN ACT RELATING TO THE ECONOMY."

Introduced by: Representative Yamashita.

2091 "A BILL FOR AN ACT RELATING TO LANDFILLS."

Introduced by: Representatives Green and Mizuno.

2092 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Representatives Green and Mizuno.

2093 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representatives M. Oshiro, Herkes and Souki.

2094 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives M. Oshiro and Yamane.

2095 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Representative M. Oshiro.

2096 "A BILL FOR AN ACT RELATING TO STATE FINANCES."

Introduced by: Representative M. Oshiro.

2097 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII."

Introduced by: Representative M. Oshiro.

2098 "A BILL FOR AN ACT RELATING TO STATE FUNDS."

Introduced by: Representative M. Oshiro.

2099 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Representative M. Oshiro.

2100 "A BILL FOR AN ACT RELATING TO STATE BONDS."

Introduced by: Representative M. Oshiro.

2101 "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY LOAN PROGRAM."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Caldwell, Carroll, Ching, Evans, Green, Marumoto, Nishimoto, B. Oshiro, Pine, Sagum, Say, Thielen, Tsuji, Waters and Rhoads.

2102 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Caldwell, Carroll, Ching, Green, Har, Marumoto, Nishimoto, B. Oshiro, Pine, Sagum, Say, Thielen, Tsuji, Waters, Bertram, Evans and Rhoads.

2103 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representatives Morita, Awana, Berg, Carroll, Ching, Green, B. Oshiro, Pine, Thielen, Belatti, Bertram, Rhoads and Waters.

2104 "A BILL FOR AN ACT RELATING TO THE CONSUMER ADVOCATE."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Caldwell, Carroll, Ching, Evans, Green, Har, Marumoto, Nishimoto, B. Oshiro, Pine, Sagum, Say, Thielen, Tsuji, Waters and Rhoads.

2105 "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO HIGH EFFICIENCY LIGHTING."

Introduced by: Representatives Mizuno, Awana, Belatti, Bertram, Caldwell, Carroll, Evans, Green, Har, Marumoto, B. Oshiro, Pine, Thielen, Waters, Ching, Nishimoto, Rhoads, Sagum, Say and Tsuji.

2106 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Mizuno, Awana, Belatti, Caldwell, Carroll, Ching, Evans, Green, Har, Nishimoto, B. Oshiro, Pine, Sagum, Say, Thielen, Waters, Bertram and Tsuji.

2107 "A BILL FOR AN ACT RELATING TO COMPACT FLUORESCENT LIGHT BULBS."

Introduced by: Representatives Mizuno, Awana, Belatti, Caldwell, Carroll, Green, Har, Marumoto, B. Oshiro, Pine, Thielen, Waters, Bertram, Ching, Evans, Nishimoto, Rhoads, Sagum, Say and Tsuji.

2108 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Mizuno, Awana, Belatti, Caldwell, Ching, Green, Har, Marumoto, Nishimoto, B. Oshiro, Pine, Sagum, Say, Thielen, Waters, Bertram, Carroll and Tsuji.

2109 "A BILL FOR AN ACT RELATING TO EMERGENCY PREPAREDNESS."

Introduced by: Representatives Mizuno, Har and Meyer.

2110 "A BILL FOR AN ACT RELATING TO AGING."

Introduced by: Representatives Mizuno, Belatti, Lee, Marumoto, Thielen and Har.

2111 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN."

Introduced by: Representative Mizuno.

2112 "A BILL FOR AN ACT RELATING TO THE TASK FORCE ON AGING."

Introduced by: Representatives Mizuno, Belatti, Har, Marumoto, Meyer, Sonson and Thielen.

2113 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Mizuno, Belatti, Marumoto, Meyer, Rhoads, Sonson, Thielen and Ward.

2114 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representative Mizuno.

2115 "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS."

Introduced by: Representative Mizuno.

2116 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH."

Introduced by: Representatives Lee, Belatti, Ching, Har, Marumoto, Mizuno, Rhoads, Sonson and Thielen.

2117 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Mizuno, Marumoto, Meyer, Sonson and Ward.

2118 "A BILL FOR AN ACT RELATING TO TUBERCULOSIS."

Introduced by: Representatives Mizuno, Ching, Marumoto, Meyer, Belatti, Rhoads and Sonson.

2119 "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS."

Introduced by: Representatives Mizuno, Belatti and Sonson.

2120 "A BILL FOR AN ACT RELATING TO MULTI-UNIT RESIDENTIAL BUILDINGS."

Introduced by: Representatives Lee, Belatti, Marumoto, Meyer, Mizuno, Sonson and Thielen.

2121 "A BILL FOR AN ACT RELATING TO FERAL PIGS."

Introduced by: Representatives Mizuno, Belatti, Ching, Marumoto, Meyer and Sonson.

2122 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH AND SAFETY."

Introduced by: Representative Mizuno.

2123 "A BILL FOR AN ACT RELATING TO UTILITIES."

Introduced by: Representatives Mizuno, Marumoto, Meyer and Sonson.

2124 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Mizuno.

2125 "A BILL FOR AN ACT RELATING TO LOSS MITIGATION."

Introduced by: Representative Mizuno.

2126 "A BILL FOR AN ACT RELATING TO HEALTHCARE."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2127 "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST THE PERSON."

Introduced by: Representatives Mizuno, Awana, Cabanilla, Marumoto, Ward and Magaoay.

2128 "A BILL FOR AN ACT RELATING TO THE PENAL CODE."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2129 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2130 "A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT."

Introduced by: Representatives Mizuno, Awana and Magaoay.

2131 "A BILL FOR AN ACT RELATING TO TERMS OF IMPRISONMENT."

Introduced by: Representatives Mizuno, Awana, Cabanilla, Green, Ward and Magaoay.

2132 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Mizuno, Awana, Brower, Cabanilla, Green, Ward and Magaoay.

2133 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2134 "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING."

Introduced by: Representatives Mizuno and Magaoay.

2135 "A BILL FOR AN ACT RELATING TO VETERAN BURIAL GRANTS."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2136 "A BILL FOR AN ACT RELATING TO CARE HOMES."

Introduced by: Representatives Mizuno, Marumoto, Thielen, Awana and Rhoads.

2137 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno, Awana, Chang, Magaoay and Rhoads.

2138 "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2139 "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2140 "A BILL FOR AN ACT RELATING TO THE VIOLENCE AGAINST WOMEN ACT."

Introduced by: Representatives Mizuno and Rhoads.

2141 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana, Belatti, Cabanilla, Green, Lee, Magaoay, Marumoto, Rhoads and Thielen.

2142 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana, Magaoay and Rhoads.

2143 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives B. Oshiro and Morita.

2144 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative B. Oshiro.

2145 "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY."

Introduced by: Representative B. Oshiro.

2146 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Evans and Har.

2147 "A BILL FOR AN ACT RELATING TO PAROLE."

Introduced by: Representatives Evans and Har.

2148 "A BILL FOR AN ACT RELATING TO THE AUDITOR."

Introduced by: Representatives Evans and Har.

2149 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Evans and Har.

2150 "A BILL FOR AN ACT RELATING TO PHARMACY."

Introduced by: Representative Evans.

2151 "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE."

Introduced by: Representatives Evans and Herkes.

2152 "A BILL FOR AN ACT RELATING TO DEPARTMENT OF PUBLIC SAFETY."

Introduced by: Representative Evans.

2153 "A BILL FOR AN ACT RELATING TO NARCOTICS ENFORCEMENT DIVISION OF THE DEPARTMENT OF PUBLIC SAFETY."

Introduced by: Representative Evans.

2154 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representative Evans.

2155 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Evans.

2156 "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES."

Introduced by: Representative Evans.

2157 "A BILL FOR AN ACT RELATING TO THE OFFICE OF VETERANS' SERVICES."

Introduced by: Representatives Evans and Har.

2158 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Evans and Har.

2159 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Evans.

2160 "A BILL FOR AN ACT RELATING TO EMERGENCIES."

Introduced by: Representative Evans.

2161 "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE INSURANCE."

Introduced by: Representatives Evans and Herkes.

2162 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE OPIHI RESTORATION PROGRAM."

Introduced by: Representative Evans.

2163 "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS."

Introduced by: Representatives Chang, Bertram, Hanohano, Ito, Karamatsu, Magaoay, Berg, Brower, Har, Herkes, Lee, Sagum, Tsuji and Wakai.

2164 "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND."

Introduced by: Representatives Chang, Berg, Bertram, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Morita, Nishimoto, Tsuji, Brower, Rhoads, Sagum and Wakai.

2165 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Representatives Chang, Berg, Bertram, Brower, Hanohano, Har, Ito, Magaoay, Morita, Tsuji, Herkes, Karamatsu, Lee, Nishimoto, Rhoads, Sagum, Wakai and Yamashita.

2166 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Berg, Bertram, Brower, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Marumoto, Morita, Nishimoto, Rhoads, Tsuji, Wakai, Yamashita and Sagum.

2167 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representative Morita.

2168 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

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

2169 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

2170 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

2171 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

2172 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

2173 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Green.

2174 "A BILL FOR AN ACT RELATING TO GOVERNMENT."

Introduced by: Representatives Caldwell, Ito and Morita.

2175 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representative Caldwell.

2176 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Caldwell, Morita and B. Oshiro.

2177 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Caldwell, Morita and B. Oshiro.

2178 "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS."

Introduced by: Representatives Caldwell, Morita and B. Oshiro.

2179 "A BILL FOR AN ACT RELATING TO DRUGS."

Introduced by: Representatives Marumoto, Evans, Ito, B. Oshiro, Waters, Yamane and Yamashita.

2180 "A BILL FOR AN ACT RELATING TO GOVERNMENT LIABILITY."

Introduced by: Representatives Marumoto, Evans, Ito, B. Oshiro, Thielen, Waters, Yamane and Yamashita.

2181 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Representatives Marumoto, Evans, Ito, B. Oshiro, Thielen, Waters, Yamane and Yamashita.

2182 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR RESERVOIRS, DAMS, AND DITCH SYSTEMS."

Introduced by: Representatives Tokioka, Morita and Sagum.

2183 "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS."

Introduced by: Representatives Thielen, Green and Morita.

2184 "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY."

Introduced by: Representatives Mizuno and Waters.

2185 "A BILL FOR AN ACT RELATING TO SPECIAL EDUCATION."

Introduced by: Representative Mizuno.

2186 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Mizuno.

2187 "A BILL FOR AN ACT RELATING TO TOXIC PRODUCTS."

Introduced by: Representatives Thielen, Awana, Brower, Carroll, Marumoto, Meyer, Mizuno, Sagum, Shimabukuro and Ward.

2188 "A BILL FOR AN ACT RELATING TO INTERFAITH ACTIVITIES."

Introduced by: Representatives Mizuno, Awana, Marumoto and Ward.

2189 "A BILL FOR AN ACT RELATING TO PUBLIC RESTROOMS."

Introduced by: Representatives Mizuno, Brower, Ching, Marumoto, Meyer, Thielen, Waters, Awana and Rhoads.

2190 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representatives Mizuno, Awana, Ching, Green, Marumoto, Thielen, Waters, Belatti, Brower, Cabanilla and Rhoads.

2191 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana, Brower, Cabanilla, Carroll, Marumoto, Thielen and Waters.

2192 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Mizuno, Awana, Belatti, Ching, Har, Marumoto and Waters.

2193 "A BILL FOR AN ACT RELATING TO SCHOOL COUNSELORS."

Introduced by: Representatives Mizuno, Awana, Brower, Green, Marumoto and Thielen.

2194 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD."

Introduced by: Representatives Mizuno, Meyer and Sonson.

2195 "A BILL FOR AN ACT RELATING TO AGING."

Introduced by: Representatives Marumoto, Belatti, Ching, Meyer, Mizuno and Thielen.

2196 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Belatti, Ching, Har, Marumoto, Meyer, Mizuno, Rhoads, Sonson, Thielen and Waters.

2197 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Lee, Belatti, Ching, Har, Marumoto, Meyer, Mizuno, Rhoads, Sonson, Thielen, Ward and Waters.

2198 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Belatti, Ching, Har, Marumoto, Meyer, Mizuno, Sonson, Thielen, Ward and Waters.

2199 "A BILL FOR AN ACT RELATING TO CAREGIVING."

Introduced by: Representatives Lee, Belatti, Ching, Har, Marumoto, Mizuno, Rhoads, Sonson, Thielen and Waters.

2200 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Lee, Belatti, Ching, Marumoto, Meyer, Mizuno, Sonson, Thielen, Ward, Rhoads and Waters.

2201 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representatives Mizuno, Belatti, Har, Meyer, Thielen, Sonson and Waters.

2202 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Mizuno and Marumoto.

2203 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representatives Mizuno, Awana and Belatti.

2204 "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER."

Introduced by: Representative Say, by request.

2205 "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES BY THE STATE OR COUNTIES."

Introduced by: Representative Say, by request.

2206 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE WORKFORCE INVESTMENT BOARDS."

Introduced by: Representative Say, by request.

2207 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DISASTER RELIEF."

Introduced by: Representative Say, by request.

2208 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EMERGENCY MEDICAL SERVICES EMPLOYEES IN THE COUNTY OF HAWAII."

Introduced by: Representative Say, by request.

2209 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WEST HAWAII HOUSING."

Introduced by: Representative Say, by request.

2210 "A BILL FOR AN ACT RELATING TO THE MAINTENANCE OF VETERANS CEMETERIES IN THE COUNTY OF HAWAII."

Introduced by: Representative Say, by request.

2211 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASTEWATER PROJECTS."

Introduced by: Representative Say, by request.

2212 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

2213 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WELLS."

Introduced by: Representative Say, by request.

2214 "A BILL FOR AN ACT RELATING TO PUBLIC LAND LIABILITY."

Introduced by: Representative Say, by request.

2215 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR BALL FIELD AND RECREATIONAL FACILITY LIGHT SYSTEM RETRO-FIT, HABITAT CONSERVATION PLAN, AND WAILUA WASTEWATER TREATMENT PLANT UPGRADES FOR THE COUNTY OF KAUAI."

Introduced by: Representative Say, by request.

2216 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say, by request.

2217 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Representative Say, by request.

2218 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

2219 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representative Say, by request.

2220 "A BILL FOR AN ACT RELATING TO PUBLIC LAND."

Introduced by: Representative Say, by request.

2221 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representative Say, by request.

2222 "A BILL FOR AN ACT RELATING TO SAILBOARDS."

Introduced by: Representative Say, by request.

2223 "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH."

Introduced by: Representative Say, by request.

2224 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say.

2225 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say.

2226 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

2227 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Representative Say, by request.

2228 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Representative Say.

2229 "A BILL FOR AN ACT RELATING TO MOPEDS."

Introduced by: Representative Say.

2230 "A BILL FOR AN ACT RELATING TO AGRICULTURAL IRRIGATION."

Introduced by: Representatives Say and Tsuji.

2231 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Say and Tsuji.

2232 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representative Say, by request.

2233 "A BILL FOR AN ACT RELATING TO MEDICAL TORTS."

Introduced by: Representative Say, by request.

2234 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR THE PURCHASE OF CERTAIN LANDS ON THE ISLAND OF OAHU."

Introduced by: Representative Say, by request.

2235 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representative Say.

2236 "A BILL FOR AN ACT RELATING TO DNA."

Introduced by: Representative Say, by request.

2237 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Shimabukuro.

2238 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Shimabukuro.

2239 "A BILL FOR AN ACT RELATING TO THE KALOKO HOUSING PROGRAM."

Introduced by: Representative Shimabukuro.

2240 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Shimabukuro.

2241 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Shimabukuro.

2242 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representative Shimabukuro.

2243 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Nakasone.

2244 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Nakasone, by request.

2245 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Magaoay, Mizuno, Sonson, Har, Herkes, Ito, Karamatsu, Sagum, Takamine, Wakai and Yamane.

2246 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Herkes.

2247 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representative Herkes.

2248 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Herkes.

2249 "A BILL FOR AN ACT RELATING TO INSURANCE FRAUD."

Introduced by: Representative Herkes.

2250 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Herkes.

2251 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representative Herkes.

2252 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Herkes.

2253 "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS."

Introduced by: Representatives Herkes and Yamashita.

2254 "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS."

Introduced by: Representative Herkes.

2255 "A BILL FOR AN ACT RELATING TO LIFE INSURANCE."

Introduced by: Representative Herkes.

2256 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Herkes, by request.

2257 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Representative Herkes, by request.

2258 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Representative Herkes, by request.

2259 "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT."

Introduced by: Representatives Tsuji, Awana, Chang, Chong, Evans, Hanohano, Ito, Magaoay, Manahan, Yamane, Yamashita, Brower and Takamine.

2260 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS."

Introduced by: Representatives Tsuji, Awana, Brower, Chang, Chong, Evans, Green, Magaoay, Manahan, Yamane, Yamashita and Takamine.

2261 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Representatives Tsuji, Awana, Brower, Chang, Chong, Evans, Green, Hanohano, Ito, Magaoay, Manahan, Yamane, Yamashita, Herkes and Takamine.

2262 "A BILL FOR AN ACT RELATING TO DISORDERLY CONDUCT."

Introduced by: Representative Rhoads.

2263 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representative Rhoads.

2264 "A BILL FOR AN ACT RELATING TO MORTGAGES."

Introduced by: Representative Rhoads.

2265 "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE."

Introduced by: Representative Rhoads.

2266 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Rhoads.

2267 "A BILL FOR AN ACT RELATING TO PROCUREMENT."

Introduced by: Representatives B. Oshiro, Caldwell, Magaoay and Yamashita.

2268 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Representatives B. Oshiro, Caldwell, Waters and Souki.

2269 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representatives B. Oshiro, Waters and Souki.

2270 "A BILL FOR AN ACT RELATING TO PRESCRIPTIONS."

Introduced by: Representatives B. Oshiro, Caldwell, Green, Herkes and Mizuno.

2271 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES."

Introduced by: Representatives Chong, Green, Ito, Mizuno and Waters.

2272 "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS."

Introduced by: Representatives Souki, Nakasone and Say.

2273 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Mizuno, Awana, Green, Marumoto, Meyer and Thielen.

2274 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO PROVIDE FOR EDUCATIONAL ASSISTANTS."

Introduced by: Representatives Mizuno, Green, Marumoto, Thielen and Awana.

2275 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Mizuno.

2276 "A BILL FOR AN ACT RELATING TO THE STUDENT TO TEACHER RATIO IN PUBLIC SCHOOLS."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Cabanilla, Ching, Green, Har, Marumoto, Rhoads, Thielen, Ward and Waters.

2277 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Marumoto, Meyer, Thielen, Ward, Waters, Cabanilla and Rhoads.

2278 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Mizuno, Awana and Green.

2279 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TEACHER CADET PROGRAM."

Introduced by: Representatives Mizuno, Awana and Green.

2280 "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Ching, Green, Lee, Marumoto, Meyer and Waters.

2281 "A BILL FOR AN ACT RELATING TO ALTERNATIVE ENERGY."

Introduced by: Representatives Mizuno, Awana, Belatti, Brower, Carroll, Ching, Green, Magaoay, Marumoto, Meyer, M. Oshiro, Sagum, Shimabukuro and Thielen.

2282 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Mizuno.

2283 "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS."

Introduced by: Representative Mizuno.

2284 "A BILL FOR AN ACT RELATING TO NONECONOMIC DAMAGES."

Introduced by: Representative Evans.

2285 "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING."

Introduced by: Representative Evans.

2286 "A BILL FOR AN ACT RELATING TO EPILEPSY DISEASE ASSISTANCE."

Introduced by: Representatives Mizuno, Brower, Ching, Green, Marumoto, Meyer, Thielen, Awana, Carroll and Rhoads.

2287 "A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS."

Introduced by: Representatives Mizuno, Green and Waters.

2288 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Mizuno, Awana and Green.

2289 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN."

Introduced by: Representatives Mizuno, Green and Belatti.

2290 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representatives Mizuno, Green and Sonson.

2291 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representatives Nakasone, Green, Mizuno and Waters.

2292 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative M. Oshiro.

2293 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative M. Oshiro.

2294 "A BILL FOR AN ACT RELATING TO LAND ACQUISITION."

Introduced by: Representative M. Oshiro.

2295 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."

Introduced by: Representative M. Oshiro.

2296 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representative M. Oshiro.

2297 "A BILL FOR AN ACT RELATING TO COUNTIES."

Introduced by: Representative M. Oshiro.

2298 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representative Caldwell.

2299 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Caldwell, Nishimoto and B. Oshiro.

2300 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representative Caldwell.

2301 "A BILL FOR AN ACT RELATING TO DENTISTRY."

Introduced by: Representative Caldwell.

2302 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Caldwell, Har, Herkes and Souki.

2303 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Caldwell, Har and Herkes.

2304 "A BILL FOR AN ACT RELATING TO EXEMPTION FROM GENERAL EXCISE TAX."

Introduced by: Representative Caldwell.

2305 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Caldwell, Green, Mizuno, Morita and B. Oshiro.

2306 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION."

Introduced by: Representatives Caldwell and Green.

2307 "A BILL FOR AN ACT RELATING TO LAND COURT."

Introduced by: Representatives Caldwell, Herkes and Har.

2308 "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS."

Introduced by: Representative Caldwell.

2309 "A BILL FOR AN ACT MAKING AN APPROPRIATION RELATING TO OVERSIGHT OF CHARITABLE ORGANIZATIONS."

Introduced by: Representatives Caldwell, B. Oshiro and Herkes.

2310 "A BILL FOR AN ACT RELATING TO INFORMATION PRACTICES."

Introduced by: Representative Caldwell.

2311 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representative Caldwell and Mizuno.

2312 "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT."

Introduced by: Representatives Caldwell and Chong.

2313 "A BILL FOR AN ACT RELATING TO ETHANOL."

Introduced by: Representatives Caldwell, Morita and Chong.

2314 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Caldwell.

2315 "A BILL FOR AN ACT RELATING TO DENTISTS."

Introduced by: Representative Caldwell.

2316 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Karamatsu, Brower, Caldwell, Chong, Hanohano, Ito, Tsuji, Yamane, Yamashita, Carroll, Mizuno, B. Oshiro, Souki and Tokioka.

2317 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Karamatsu, Brower and Mizuno.

2318 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Representatives Karamatsu, Ito, Mizuno, Sonson, Caldwell, Carroll, Chong, Hanohano, Har, Morita, B. Oshiro, Sagum, Souki, Tokioka, Tsuji, Yamane and Yamashita.

2319 "A BILL FOR AN ACT RELATING TO HARASSMENT."

Introduced by: Representatives Karamatsu, Hanohano, Ito, Mizuno, Morita, Caldwell, Carroll, Chong, Har, B. Oshiro, Sagum, Souki, Tokioka, Tsuji, Yamane and Yamashita.

2320 "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION."

Introduced by: Representatives Karamatsu, Green and Mizuno.

2321 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INTERNATIONAL RELATIONS."

Introduced by: Representatives Karamatsu, Green and Mizuno.

2322 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Karamatsu, Brower, Caldwell, Carroll, Hanohano, Har, Ito, Mizuno, Morita, Yamane, B. Oshiro, Sagum, Souki and Tokioka.

2323 "A BILL FOR AN ACT RELATING TO BEACHES."

Introduced by: Representatives Karamatsu and Mizuno.

2324 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Karamatsu, by request.

2325 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Karamatsu, Ito, Tsuji and Brower.

2326 "A BILL FOR AN ACT RELATING TO MORTGAGES."

Introduced by: Representatives Caldwell and Herkes.

2327 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Waters.

2328 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."

Introduced by: Representative Waters, by request.

2329 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representatives Waters, by request, and Chong.

2330 "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES."

Introduced by: Representative Waters.

2331 "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX."

Introduced by: Representative Waters.

2332 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Waters and Morita.

2333 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Waters.

2334 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Waters, Mizuno, Say, Tsuji, Yamane, Lee and Yamashita.

2335 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Waters, Morita, Say, Tsuji and Yamashita.

2336 "A BILL FOR AN ACT RELATING TO RETIREMENT ALLOWANCE."

Introduced by: Representatives Waters, Say, Yamane and Chong.

2337 "A BILL FOR AN ACT RELATING TO FAMILY COURT."

Introduced by: Representative Waters.

2338 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Waters.

2339 "A BILL FOR AN ACT RELATING TO SAFETY."

Introduced by: Representative Waters.

2340 "A BILL FOR AN ACT RELATING TO ABUSE."

Introduced by: Representative Waters.

2341 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representative Waters.

2342 "A BILL FOR AN ACT RELATING TO COURTS."

Introduced by: Representative Waters.

2343 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Waters, Tsuji, Morita, Say, Yamane and Yamashita.

2344 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VI, SECTION 3, OF THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE BY TWO YEARS FOR STATE JUSTICES AND JUDGES."

Introduced by: Representatives Waters, Chong, Morita, Say, Tokioka, Yamane, Yamashita and Tsuji.

2345 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Waters, Say, Tsuji, Yamane and Yamashita.

2346 "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR."

Introduced by: Representatives Waters, Say, Morita, Tsuji, Yamane and Yamashita.

2347 "A BILL FOR AN ACT RELATING TO METAL."

Introduced by: Representatives Waters, Morita, Say, Tsuji, Yamane and Yamashita.

2348 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ito, Chang, Lee, Waters, Chong, Har, Herkes, Karamatsu, Manahan, Sagum, Tokioka, Tsuji and Yamashita.

2349 "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED."

Introduced by: Representatives Ito, Thielen, Chang, Chong, Har, Karamatsu, Manahan, Sagum, Tokioka, Tsuji, Yamane and Yamashita.

2350 "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS."

Introduced by: Representatives Ito, Tsuji and Yamashita.

2351 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM PEARL HARBOR."

Introduced by: Representatives Ito, Awana, Chang, Chong, Hanohano, Har, Manahan, Sonson, Tokioka, Tsuji, Yamashita, Lee, Rhoads, Sagum and Waters.

2352 "A BILL FOR AN ACT RELATING TO IRRIGATION."

Introduced by: Representatives Ito, Brower, Karamatsu and Tsuji.

2353 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Ito, Brower, Karamatsu and Tsuji.

2354 "A BILL FOR AN ACT RELATING TO INDEMNITY."

Introduced by: Representatives Ito, Karamatsu, Tsuji and Brower.

2355 "A BILL FOR AN ACT RELATING TO WELLS."

Introduced by: Representatives Ito, Karamatsu, Tsuji and Brower.

2356 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Ito, Chong, Tsuji, Brower and Karamatsu.

2357 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Ito, Brower, Chong, Karamatsu and Tsuji.

2358 "A BILL FOR AN ACT RELATING TO LIABILITY."

Introduced by: Representatives Ito, Karamatsu and Tsuji.

2359 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Ito, Brower, Chong, Karamatsu and Tsuji.

2360 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Ito, Brower, Chong, Tsuji and Karamatsu.

2361 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Ito, Brower, Chong, Karamatsu and Tsuji.

2362 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Ito, Brower, Chong, Karamatsu and Tsuji.

2363 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Ito, Brower, Chong, Karamatsu and Tsuji.

2364 "A BILL FOR AN ACT RELATING TO THE SAFETY OF MINORS ON ALL-TERRAIN VEHICLES."

Introduced by: Representatives Marumoto, Awana, Cabanilla, Ching, Green, Meyer, Mizuno, Rhoads, Thielen, Ward, Belatti and Brower.

2365 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Mizuno, Brower, Ching, Green, Thielen, Waters, Awana, Belatti and Rhoads.

2366 "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY."

Introduced by: Representatives Mizuno, Awana, Green, Magaoay and Rhoads.

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

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

UHM Chamber Singers, with Conductor Rachel Samet
Ms. Candace Gentry

The House of Representatives reconvened at 10:27 o'clock a.m.

INTRODUCTION OF RESOLUTIONS

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

H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2008," relating to the mandatory recess for the Regular Session of 2008, determined to be the 21st, 22nd, 25th, 26th and 27th days of February, 2008; and the dates of the recesses, other than the dates of the mandatory recess, for the Regular Session of 2008, determined to be the 24th of January, the 19th of February, the 3rd and 5th days of March, the 7th, 9th, 28th and 30th days of April of 2008, pursuant to Article III, Section 10 of the Constitution of the State of Hawaii, was jointly offered by Representatives Caldwell and Finnegan.

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

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

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

At 10:29 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

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

Mr. Aaron Sala, Ethnomusicology Masters Graduate Student
Ms. Candace Gentry
UH Tahitian Ensemble
UH Hawaiian Chorus, with Conductor Nola Nahulu

The House of Representatives reconvened at 11:17 o'clock a.m.

At this time the Speaker delivered his Opening Day address, stating:

"Mahalo to Mr. Aaron Sala and Ms. Candace Gentry. Mahalo UH Tahitian Ensemble. And mahalo UH Hawaiian Chorus. Thank you all for that electrifying performance.

"Honored guests, Members, ladies and gentlemen, aloha and welcome. The 2008 Session of the Hawaii State Legislature convenes today.

"This morning, I speak to you as just one of the fifty-one members of this legislative body – a father of two sons who represents a district where people continue a mounting struggle with the cost of living. As I listen to these people, I realize how truly they share a deep concern for the future of our great state. We must recognize their thirst for change.

"In a little over ten months, we will face the voters, the people of our districts who have given us their trust. Also we may see the election of the first woman to hold the nation's highest office. And we may also witness the day when a native son of Hawaii is chosen as a leader of the free world. This is not because things are changing, but because we are changing. Imagine a woman who breaks through the "glass ceiling" to take a seat in the Oval Office. On November 4th, we could break that barrier. Imagine a man of color winning a state with under three-percent black population. Two weeks ago, we broke that barrier.

"These events remind us of a hard truth: the forces of change will overwhelm the status quo. The way things are is not the way they will be. You may be surprised to hear me say that because I have sometimes been accused of representing the "old boy's club." People who know me say that, "you really don't." I believe in my heart and with my whole being we can make Hawaii a better place. And to do that, we must embrace change, not as a political slogan, but as a way of life.

"That's why today, I am asking you, as representatives of the people of Hawaii, to help us take charge of our own destiny. It is not my intention to offend anyone here today when I say that we are too complacent, too focused on our own individual concerns, and too accepting of the way things are. Forces beyond our State's control will work against our shared beliefs if we do not act.

"Maybe you don't agree with me. Well, as a wise old Senator once said, "you are entitled to your own opinion, but you are not entitled to your own facts." We all realize we are thousands of miles away from the resources necessary to support the lives of well over a million people. So we must significantly increase our efforts to achieve greater sustainability. Our commitment to that effort will truly help Hawaii take charge of its destiny.

"Less than three months ago, this body was called into Special Session to decide whether the Superferry would sink or float. Dozens of protestors jumped into Nawiliwili harbor to keep the vessel and her passengers from coming ashore. The Governor was booed when she went to Kauai to help settle the dispute. Newspapers around the world were running front-page stories about the trouble.

"Today is not the time to reopen that debate, but it is the time to recognize this is not the way to solve Hawaii's problems. Confrontation may bring temporary satisfaction to a few, but it will never bring long-term solutions for the many.

"The Superferry debate raised for all of us a very important issue, and that particular issue is the right choice for Hawaii to find a balance between our environmental and our economic concerns, and a balance that is sustainable. To take charge of our own destiny, we must recognize that good environmental policy and a sound economy should work together.

"This is the middle road we should find between the unworkable extremes of no development and uncontrollable development. This middle way recognizes that a sustainable economy must first be built within a sustainable environment.

"So let me begin with what I believe is our most pressing environmental and economic concern – our total dependence on imported fossil fuels – fuels that cost us more and more each day.

"The increase in their price shows up in the gas we buy, the electricity we use and the food we eat. Last year at this time, the price of oil was just under $50 a barrel. Earlier this month that price had doubled. Hawaii is not far away from a day when the cost of jet fuel will start to play havoc with our tourist-based economy. And some say it has already started to that effect.

"You can be sure that many of our families are struggling with rising gas prices. Why are we moving so slowly? Most of the energy we need can be created here at home. Are the threats to the status quo and the increasing appetites of real estate developers standing in our way?

"Hawaii's unique environment presents us with an unparalleled opportunity to lead our nation in the development of renewable energies. Consider a few possibilities: Ethanol from sugarcane is more than five times as energy efficient as ethanol produced from corn, and what it does is significantly reduce green house gas emissions.

"I realize there are considerable challenges surrounding the increased production of sugarcane and other bio-fuel crops. Issues of water rights and infrastructure; issues that will require us to change our land use policies. But wouldn't most of us rather gaze at a sugarcane field that helps power our cars, than a field of high-rise condos built for the offshore rich?

"Leeward Oahu, Molokai, Lanai and western Maui have some of the best solar energy resources in the nation. And yet we have hardly begun to tap their potential. The U.S. Department of Energy says Hawaii has wind resources consistent with utility-scale production. Every single one of our islands has potential for generating power from wind. I'm happy to say that Lanai and Maui already have a start, but there is much more to do as far as accelerating the permitting of renewable energy development.

"For my colleagues in Kauai, the wettest spot on Earth and yet we have done almost nothing to develop hydropower as a potential resource. The U.S. Department of Energy estimates that Kauai has hydropower resources equal to about 70-percent of its electricity needs. And wave energy, Cynthia. Wave energy development lies just over the horizon. And we sure have plenty of waves just waiting for that day.

"But let me be honest with you, too many of us in this Chamber cling to the status quo. All of these alternative energies will require

big changes: changes in how we view our landscapes, changes in our State support levels, and changes in our willingness to be energy efficient and conserve energy. In the end, achieving better energy efficiency and practicing conservation are the two most immediate ways we can decrease our dependence on outside resources.

"If we could just produce half of Hawaii's energy, we would add at least two billion dollars to the State's economy. And the money stays here, not in a bank somewhere in Texas or the Middle East. It stays here. And this is how we will begin to take charge of our own destiny.

"Members of the House, the plant on your desk is a symbol of what we can do. The charcoal in the pot contains an additive that has been granted a U.S. patent for its unique properties. The charcoal acts to improve soil fertility, and it also has significant potential as an alternative fuel. It is made from green waste and has the potential for wide-scale commercial use.

"The man who developed this technology is here with us today. Mr. and Mrs. Michael Antal, Mike and Ann, distinguished professor of renewable energy resources, from the University of Hawaii School of Ocean and Earth Science and Technology. Also Mr. Goro Uehara, from the University of Hawaii Department of Tropical Plant and Soil Sciences, who is working with Dr. Antal to develop agricultural applications for his patented process. These two men are helping invent our future, and grow a sustainable economy here in Hawaii. Congratulations.

"Members of the House, if Hawaii is to take charge of its own destiny, we must also take a closer look at another change we will need to make. The young adults of this State have virtually no seat at the table where the real decisions are made. For me personally, this is wrong and it works to our disadvantage. What am I talking about? Generation X is now entering into its late thirties and early forties. Members of this generation founded Google, Yahoo, MySpace, and YouTube. Those are billion-dollar tech companies. And should we expect less of those who follow in Generation Y?

"We will never know unless we open up our institutions, our committees and boardrooms, to provide the kind of access to leadership these young people deserve. The decisions we are making now will define their future. It is our duty and responsibility to give them a say in that future.

"On another topic, all of us are saddened by the decision of the University of Hawaii football coach, June Jones, to leave Hawaii. We wish him well. Regrettably, his departure draws attention to a badly neglected problem at the University: the deplorable conditions of many of its facilities. Lack of adequate attention to this problem is leading many of the best faculty members at the University of Hawaii to consider leaving. We cannot allow this to happen.

"Regardless of the tough budget problems we face this year, we must find the money to help the University of Hawaii deal with this crisis. Dave, Virginia, Rose, John, Allen, Jake, I promise you, on behalf of the fifty-one Members of this Chamber, we will do our share.

"Stand and join us now, as a symbol of our commitment to achieve this goal. Please stand, all of you, in recognition of the many outstanding works the University has done and the University has achieved in its first 100 years.

"A Honolulu newspaperman, who I've known very long, known as A.A. Bud Smyser wrote a report entitled, "Hawaii's Future in the Pacific." Let me read you part of what he said:

> Unless growth is carefully paced, increased activity will bring with it the threat of environmental overload – destruction of view planes and beauty; air, water and noise pollution; straining transportation and utility services beyond their capacities; crowding of beaches, parks and other public facilities. These developments in turn, could impose heavy corrective costs on the tax-paying public. Serious overcrowding issues already exist in many parts of Hawaii.

To all of you, Bud Smyser wrote those words, 20 years ago.

"Members of the House, we have crossed the threshold of Bud Smyser's prediction and we must act now to save the Hawaii we know and love. Aloha."

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

"Thank you, Mr. Speaker. Aloha people of Hawaii. Mahalo to all of those who came from UH to entertain us today. I am reminded there is no other place like Hawaii. Welcome to our State Capitol and the Opening Day of our 2008 Legislative Session.

"It is an honor to serve as Minority Leader in the State House of Representatives.

"Let me take you through a journey that brought me here to this moment in time. Seven years ago, Governor Lingle, then the Hawaiian Republican Party Chair, presented a vision for Hawaii's future and hope for those us who felt that the one party government should be challenged. This inspired me to run for office. I believe a thriving democracy lies in a government that operates with at least two political parties. This contributes to a more transparent process and results in better laws representing a greater number of Hawaii's people, and I also believe that within this process, respect can be earned, even when values and views differ.

"Fast forward to 2006. Linda Lingle did what no other Governor in this State has ever done. She won every House district in the State. A stamp of approval for the positive changes and meaningful results achieved during the Governor's first term.

"We are working hard to answer the call of the people of Hawaii to continue to create opportunities and concrete results. Hawaii Republican values such as opportunity, personal responsibility, and accountability are woven throughout our package. These bills address six of our State's most important issues: cost of living, energy independence, safe and sober streets, education, ethics and repair and maintenance of our State facilities. I will be sharing with you just a sampling of the efforts we will be putting forth.

"The first issue is our cost of living. I will be sharing two basic areas which are food and housing. We are focusing our tax relief proposals on the elimination of taxes on food. It is that plain and simple. We want to make it easier for families to put food on the table. For homelessness and housing, we want to see a Hawaii where every individual and family has a roof over their head. The reality is that it will take much more than just compassionate politicians. It will take compassion and an expectation of self-reliance and independence. For it is when we can lend a hand up to the next rung of the ladder, that we will be able to make more room for those who want and need help. Our goal is to take the comprehensive services of the homeless transition centers like Onelauena at Kalaeloa and duplicate them throughout all levels of government housing assistance, such as public housing, Section 8 and affordable rentals. It is about believing and instilling hope in our people to break through the glass ceiling that keeps them from dreaming of home ownership. We want to see these programs working in unison for our people.

"The second issue is energy independence. Our sunshine, tradewinds and ocean attract millions of visitors every year. These same attributes can provide for our energy needs and propel us to the forefront of energy independence in ten years. Driven by the rising cost of oil, the opportunities for renewable energies have never been greater.

"The third issue is safe and sober streets. We are dedicated to passing increased fines and penalties and an ignition interlock program for repeat DUI offenders to change attitudes and behaviors about driving under the influence and pedestrian safety. When it comes to drinking and driving, just don't do it. When it comes to pedestrian safety, no matter who had the right of way, no matter who is at fault, and no matter how much you were in a rush, the consequences are irreversible. The ramifications are forever and if someone dies we all lose.

"The fourth issue is education. One of the missing pieces in public education is the lack of a management audit on the Department of Education. Some will shudder at the thought of a management audit. I asked a prominent business man what a management audit meant to him. He described it in one word: opportunity. It is an opportunity to identify something that your own eyes are unable to see. It is a method for quality improvement. The last time a management audit was done on the Department of Education was a lifetime ago. Well almost a lifetime. I was three years old when the last management audit was performed on the Department of Education. We will continue to support Hawaii's public charter schools because they are good examples of school level decision making. Voyager Public Charter School was faced with a challenge of insufficient class time to accomplish the goals they had set forth for their students. A collaborate effort to add 45 minutes, yes 45 minutes to each of their school days was achieved. This was made possible by the teachers with the hard work of Miss T – that's what they call her, Miss T – and the approval of the HSTA, the Voyager School Board, the parents and spearheaded by their principal. I bring this example forward because this is the kind of flexibility and ownership that I think teachers and principals can appreciate. It is my pleasure to introduce to you, Miss Sue Deuber, Principal of Voyager Charter School. Thank you Sue.

"The next issue is ethics. A new Ethics Committee will be created in the State House with equal representation of both Majority and Minority members. Dan Mollway of the Hawaii State Ethics Commission testified in favor of this. We will also be demanding change of the grant-in-aid process. The way our Legislature awards money to non-profit organizations has recently been questioned. Over the last five years the legislature has appropriated $200 million in grants-in-aid. We support these appropriations; however, we need to have an open book policy to the criteria and guidelines in which these non-profits are chosen to ensure a fair outcome for all non-profits. We invited Professor Danielle Conway Jones, the Director of Hawaii Procurement Institute and a respected expert in this field to assist us with a GIA forum, to explore ways to create good procedures. Hawaii Procurement Institute was conceived with a vision to be a neutral, independent procurement think-tank and educational institution.

"And finally repairs and maintenance of our state facilities has been a long time problem. The members of our championship football team and network commentators pointed out the dilapidated athletic facilities, once again calling attention to the lack of maintenance on our State buildings. We have and will be appropriating millions of dollars to catch up on the long list of repairs and maintenance. But how did we get here in the first place? It has been decades of neglect. We need to look at ways to prevent this from happening again. We owe it to you to plan and prepare for repairs and maintenance of our State facilities with the holistic approach. We will be introducing a bill to do just that.

"We also unanimously support medical tort reform, keeping doctors in Hawaii and the 2010 Constitutional Convention. We call it trusting and believing in the people of Hawaii.

"My words would not be complete without stating my utmost gratitude and respect to the military members and their families. The soldiers, sailors, airmen, and marines of past and present are selfless servants who protect our freedom and our way of life. I know this very well, as my brother is a local boy who retired as a Green Beret in the Army Special Forces and now works with the Youth Challenge program. He is also working toward a teaching degree to help kids in underserved areas. He wants to help at risk kids, the way the military helped him. That's my brother Derek. To the military, we will stand behind you and assist you in your readiness goals.

"The Republican road traveled is a journey of many challenges and silent rewards, but we do it anyway. We speak out on behalf of you, the people of Hawaii and we play a vital role in Hawaii's political landscape.

"Last week my 12-year-old daughter left me a note written on a napkin and it said, "Life is what you make it." Well this session is what we make it. We will make it a session focused on results for the people of this awesome state. Mahalo and God bless."

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

"Mr. Speaker, distinguished guests, friends and family, members of the House, Aloha. We all came to public office with dreams.

"I was reminded of the importance of this principle about a month ago, when Senator Nadao Yoshinaga visited my office. He does this from time to time with members of the House. From humble beginnings in Wailuku, to a local and national leader in healthcare reform, the Senator has a record that would make any of us here today, any of us elected officials extremely proud. Senator Yoshinaga, would you please stand and be recognized?

"When he visited, we talked for a quite a while. At the end of our conversation, I asked him, "Senator, if you had it to do all over again, would you change anything?" He sat up straight, he leaned forward on our couch and he said, "I would have dreamed bigger." Those words reminded me, and should remind all of us here today, of just how critical it is to take what we believe and apply it to the way we solve problems and approach the future.

"There is a forest of cynicism out there today, and we cannot give in to it. Instead we must deal with it, defy it, and be guided by what is right. Community leaders do this every day. One such person is Nanci Kriedman. She has committed herself to ending domestic violence. Nanci, would you please stand and be recognized? She's up there in the gallery.

"Nanci has involved some of us in the annual Men's March held every October to end violence against women. The theme of last year's march was "dispelling the myth." The message is simple, and that is we must change the way we frame the problem if we are really going to solve it. Violence against women is generally thought of as a women's issue. But it's not. It's a man's issue. It is men who must change to solve the problem. And it is all men who must help by taking responsibility for ending something which is so innately wrong.

"So Nanci's dream begins by calling on men – uncles, coaches, clergy, neighbors – to act as good mentors. We can start early with boys and end the bad behavior before it becomes a habit. Real men will champion the responsibility. Thank you Nanci, for the simple act of redefining problems so we can give birth to new solutions. Thank you.

"We have all heard the quote from the Bible which goes, "Where there is no vision, the people perish." Fortunately, we have community leaders who have vision to spare. Among them is James Koshiba, one of the founders of Kanu Hawaii. James would you please stand and be recognized? James left a very successful consulting firm to lead this dynamic, new organization. Kanu calls on all of us to fulfill our *kuleana* – our obligation to neighbors in need, our cultural traditions, our children and our environment.

Using creative technology, James and the young leaders who have founded Kanu have added a new twist to activism. Kanu displays, in real-time, data on their website to show us how individual home grown actions really do make a difference and how our commitments add up.

"Yet with all the high level tech, James and Kanu are still grounded in the timeless island values of respect, humility, and aloha that bind us all. Through personal change and social action, Kanu Hawaii is helping us reach those "bigger dreams."

"My daughter and I used Kanu to make our commitments to improve our world. She pledged to conserve water at home, and I pledged to buy from businesses that are good stewards for their community. With Kanu, we rediscover that the call to action comes from each of us. Because that's where real change starts.

"So all around us here today, there are people who are dreaming bigger and acting on behalf of those dreams. And what do each of these leaders have in common? The status quo just isn't good enough. And no, it is not as simple as having the right bumper sticker or motivational poster on your wall. As we all find out at one juncture or another in our lives, values only mean something when they are tested. And the road tests can get pretty tough at times. In the Session ahead, let's ask ourselves: Are we operating from a value system that perpetuates what is best about our island home? Or are we, slice by slice, mortgaging away the future?

"Who are we building for? Not just the brick and mortar infrastructure, but the energy that we produce from the islands, the foods we grow and the industries and jobs we develop. Think about this. According to the National Report Card for States, between the years 2000-2005, Hawaii converted cropland to other uses faster than all but one of our 50 states.

"When is enough, enough? Are we really thinking of the needs of people who will be here when we are long gone? Or is this just something we see on a "Keep the Country, Country" bumper sticker driving around Honolulu?

"And perhaps most importantly for us as elected officials, has it become so easy to take the cheap shot and criticize government, that we are losing the all important combination of affection and guts it takes to really dig in, change government and make it better?

"So let's ask ourselves here today: Is government fit for the future? What are we doing about it? These are real tough questions to answer. Yet all around us – as we've seen today – there is human inspiration.

"Right now I understand we have some celebrating to do out in the Rotunda with our University champions. Our capitol is filled with young people, women and men, who dreamed bigger and delivered. It is alive with the hopes of tomorrow and the will to work for a better future.

"Dream bigger, Senator Yoshinaga? You bet.

"Thank you. And Members, we will work as hard as possible to do the good job that the people of this State deserve. Thank you very much."

The Chair then called upon Mr. Bob Nash, Head Coach of the University of Hawaii at Manoa's Men's Basketball Team to deliver the benediction.

ADJOURNMENT

At 12:03 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 17, 2008.

HOUSE COMMUNICATIONS

The following communications were received by the Clerk.

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

RECEIVED
2007 DEC 28 P 12: 22
SPEAKER'S OFFICE

December 28, 2007

The Honorable Calvin K.Y. Say
Speaker of the House
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear Mr. Speaker,

In my October 19, 2007 correspondence to you, I offered to resign from my position as Vice Speaker of the Hawaii House of Representatives. Although you conditionally accepted my offer through a suspension of my appointed duties until the 2008 legislative session, I would like to once more offer my resignation on a permanent basis.

I realize I made a serious error in judgement, and I wish to take full responsibility for my actions. In the intervening time between my last letter and this date, I have pleaded "no contest" to my offense, accepted the judicial consequences of my mistake, and changed my lifestyle and outlook considerably. Now, having begun the process of change in my public and personal lives, I wish to address the impacts that my actions may have on my colleagues and this honorable body.

It is my belief that the House would be best served by my relinquishing my current leadership responsibilities in order to remove any perception of impropriety. I have true respect for this institution, its members, and the role it serves in the government of Hawaii, and I wish to protect its integrity.

I plan to work very hard to regain the trust of my colleagues and my constituents, and my commitment to the House remains strong in whatever position I am assigned.

Thank you for the opportunity to have served in the leadership of the House of Representatives.

Very truly yours,

JON RIKI KARAMATSU
State Representative
Forty-First District

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

January 7, 2008

MS. PATRICIA MAU-SHIMIZU
Chief Clerk
House of Representatives
State Capitol, Room 027
Honolulu, Hawaii 96813

Dear Chief Clerk Mau-Shimizu:

As you know, I recently asked Speaker Say to accept my resignation as Vice Speaker on a permanent basis, and he has agreed. I want to take this time to thank you for your support and to express my gratitude for the opportunity to have served within the House leadership.

On Friday, December 21, 2007, I pled "no contest" to driving under the influence and accepted the punishment issued by the court. Even though I have resigned as Vice Speaker, I remain deeply committed to my role as a lawmaker and to serving my community. This experience has been a valuable lesson for me. I take full responsibility for my actions, and I am determined to work hard to become a better legislator and to regain the public's trust.

I look forward to working with you in whatever capacity I am asked to serve in the 2008 legislative session. In addition, I am thankful for those who offered their words of support and encouragement, as well as those who shared their honest opinions on this matter.

I wish you and your staff a happy, healthy, and safe new year!

With Warmest Aloha,

Jon Riki Karamatsu
Representative, District 41

Representative Jon Riki Karamatsu
District 41: Waikele, Royal Kunia, Village Park, Waipahu
State Capitol, Room 427 – Honolulu, Hawaii 96813
Phone: 586 8490 Fax: 586 8494
E-Mail: repkaramatsu@capitol.hawaii.gov

SECOND DAY

Thursday, January 17, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Kahu Curt P. Kekuna of Kawaiaha'o Church, after which the Roll was called showing all members present with the exception of Representatives Pine and Souki, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1 through 211) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 1, dated August 20, 2007, transmitting the Pay Equity Task Force Report.

Gov. Msg. No. 2, dated September 12, 2007, transmitting the Department of Land and Natural Resources' report Authorizing The Grant Of A Term, Non-Exclusive Easement Covering Portion Of Submerged Lands At Lahaina, Maui, For Dive Site For Commercial Submarine Tours.

Gov. Msg. No. 3, dated August 24, 2007, transmitting the Department of Land and Natural Resources' report Position(s) Not Authorized By The Legislature – Kaho'olawe Island Reserve Commission.

Gov. Msg. No. 4, dated October 29, 2007, transmitting the Report on the Operations of Qualified High Technology Businesses From 2002 Through 2006.

Gov. Msg. No. 5, dated November 1, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Report on the following Non-General Fund Information: Employment and Training Fund; Premium Supplementation Fund; Special Compensation Fund; Special Fund for Temporary Disability Benefits; Unemployment Insurance Trust Fund; Special Unemployment Insurance Administration Fund.

Gov. Msg. No. 6, dated November 5, 2007, transmitting the Report Pursuant to Section 20, Act 78, Session Laws of Hawaii 2006.

Gov. Msg. No. 7, dated November 5, 2007, transmitting the Report Pursuant to Section 20, Act 78, Session Laws of Hawaii 2006.

Gov. Msg. No. 8, dated November 8, 2007, transmitting the Report Pursuant to Senate Concurrent Resolution No. 202, Requesting the Department of Health to Review the State's Vaccination Requirements and Determine Whether Vaccination for Pneumococcal Disease for Children Entering Child Care Should be Added to the Current List of Required Vaccinations.

Gov. Msg. No. 9, dated November 8, 2007, transmitting the Report Pursuant to Section 321-291 Hawaii Revised Statutes, Requiring the Department of Health to Give an Annual Financial Report for the Newborn Metabolic Screening Special Fund.

Gov. Msg. No. 10, dated November 15, 2007, transmitting the Office of Youth Services and Hawaii Youth Correctional Facility Annual Report for Fiscal Year 2006.

Gov. Msg. No. 11, dated November 13, 2007, transmitting the Report Pursuant to Section 321-22.5 (g) Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on the Receipt and Expenditures from the Trauma System Special Fund.

Gov. Msg. No. 12, dated November 14, 2007, transmitting the Report Pursuant to Section 321-63 Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on Dental Health Activities, Expenditures and Recommendations.

Gov. Msg. No. 13, dated November 16, 2007, transmitting the Department of Land and Natural Resources' report on Identification Of Rivers And Streams Worthy Of Protection.

Gov. Msg. No. 14, dated November 14, 2007, transmitting the Report Pursuant to Section 321-1.4, Hawaii Revised Statutes, Requesting the Department of Health to Submit an Annual Report that Outlines the Status of the Office of Health Care Assurance Special Fund, Including the Amount of Monies Deposited into and Expended from the Fund, and Sources of Receipts and Uses of Expenditures.

Gov. Msg. No. 15, dated November 16, 2007, transmitting the Department of Land and Natural Resources' report Status Of The Kaho'olawe Rehabilitation Trust Fund.

Gov. Msg. No. 16, dated November 19, 2007, transmitting the Report Pursuant to Section 31 of Act 213, SLH 2007, Requiring the Department of Health to Increase the Annual Pensions for the Residents of Kalaupapa Settlement.

Gov. Msg. No. 17, dated November 16, 2007, transmitting the Department of Land and Natural Resources' report Relating To Public Land Liability.

Gov. Msg. No. 18, dated November 16, 2007, transmitting the Department of Land and Natural Resources' report Status Of The Program For Environmentally-Themed Products To Support The Environment.

Gov. Msg. No. 19, dated November 14, 2007, transmitting the Report Pursuant to Section 348F-4, Hawaii Revised Statutes, Disability and Communication Access Board Annual Report, Fiscal Year 2006-2007.

Gov. Msg. No. 20, dated November 27, 2007, transmitting the Report Pursuant to Senate Concurrent Resolution 70, HD 1, SLH 2006, Requesting the Director of Health to Convene a Task Force to Determine a Means for a Child to be Screened Prior to the Start of the Child's Education, at the Child's First Entry into Preschool and Elementary School, to Provide for Diagnosis, Referral, Correction or Treatment, and to Integrate the Efforts of Community and State Organizations Related to Screening Under this Hawaii Childhood Screening Initiative.

Gov. Msg. No. 21, dated November 28, 2007, transmitting the Department of Transportation Report as required by Act 213, Section 127, Session Laws of Hawaii 2007.

Gov. Msg. No. 22, dated November 28, 2007, transmitting the Department of Transportation Interim Report on Act 10, Special Session of 2007.

Gov. Msg. No. 23, dated November 14, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Employment and Training Fund report for fiscal year ending June 30, 2007.

Gov. Msg. No. 24, dated November 30, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Hoisting Machine Operator's Advisory Board's report for fiscal year ending June 30, 2007.

Gov. Msg. No. 25, dated November 13, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Occupational Safety and Health Report of Contested Cases for fiscal year ending June 30, 2007.

Gov. Msg. No. 26, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report on Administratively Established Accounts And Funds Of The Department Of Land And Natural Resources.

Gov. Msg. No. 27, dated November 28, 2007, transmitting the Pesticide Use Revolving Fund Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 28, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report on Implementation Of Chapter 190D, Hawaii Revised Statutes, Ocean And Submerged Lands Leasing.

Gov. Msg. No. 29, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report on Revenues Generated From General Administrative Penalties Imposed Under Chapter 183, Hawaii Revised Statutes.

Gov. Msg. No. 30, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report on Geothermal Royalties Dispositions And Status Of Geothermal And Cable System Development.

Gov. Msg. No. 31, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report on The Dam and Reservoir Safety Program For Fiscal Year 2007.

Gov. Msg. No. 32, dated November 30, 2007, transmitting the Department of Land and Natural Resources' report Requesting The Department Of Land And Natural Resources To Report To The Legislature On Certain Aquatic Surf Resources In The State Including The Cost Of Funding A Study On The Feasibility Of Constructing Artificial Reefs.

Gov. Msg. No. 33, dated December 3, 2007, transmitting the Department of Taxation's report on efforts to improve revenue forecasting accuracy for the Council on Revenues.

Gov. Msg. No. 34, dated December 3, 2007, transmitting the Department of Taxation's Annual Report as required of Act 213, Session Laws of Hawaii (SLH) 2007, Section 119.

Gov. Msg. No. 35, dated December 11, 2007, transmitting the Department of Transportation consolidated Report on Sections 18, 21, and 26 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 36, dated December 11, 2007, transmitting the Department of Transportation Report on Section 22 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 37, dated December 11, 2007, transmitting the Department of Transportation Report on Section 19 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 38, dated December 3, 2007, transmitting the Department of Transportation Report as required by Act 213, Section 128, Session Laws of Hawaii 2007.

Gov. Msg. No. 39, dated December 10, 2007, transmitting the Report Pursuant to Section 51 of Act 213 Session Laws of Hawaii 2007, Requiring a Report by the Department of Health on Purchasing Equipment for the State Laboratory.

Gov. Msg. No. 40, dated December 11, 2007, transmitting the Department of the Attorney General's Report on Receipts and Expenditures of the Antitrust Trust Fund for Fiscal Year 2006-2007.

Gov. Msg. No. 41, dated December 7, 2007, transmitting the Report on Establishment of the Hawaii Health Systems Corporation Board of Directors.

Gov. Msg. No. 42, dated December 12, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Hawai'i Civil Rights Commission report for fiscal year ending June 30, 2007.

Gov. Msg. No. 43, dated December 13, 2007, transmitting the Department of Transportation Report on Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 44, dated December 17, 2007, transmitting the Department of Accounting and General Services' Annual Report of Claims and Lawsuits Arbitrated, Compromised, or Settled for fiscal year ending June 30, 2007.

Gov. Msg. No. 45, dated December 14, 2007, transmitting the Annual Report on Goals and Objectives, as required by Act 100, SLH 1999.

Gov. Msg. No. 46, dated December 14, 2007, informing that the Department of Human Resources Development reports that there was no selection of Separation Incentives by any employee as there was no Reduction-in-Force (RIF) in the Executive Branch for the 2007 calendar year.

Gov. Msg. No. 47, dated December 14, 2007, transmitting the Report on Parental Preferences in Government Contracts, Programs, and Services.

Gov. Msg. No. 48, dated December 14, 2007, transmitting the 2008 Exempt Study Report.

Gov. Msg. No. 49, dated December 14, 2007, transmitting the Department of Accounting and General Services' Annual Report of the Stadium Authority – Stadium Special Fund for fiscal year ended June 30, 2007.

Gov. Msg. No. 50, dated December 14, 2007, transmitting the Department of Taxation's Annual Report 2006-2007 as required by section 231-3(8) Hawaii Revised Statutes (HRS).

Gov. Msg. No. 51, dated December 17, 2007, transmitting the compact disc of the Executive Supplemental Budget for the Period 2007-2009, compact disc of the Variance Report for FYs 2007-08, and Budget in Brief for FY 2009.

Gov. Msg. No. 52, dated December 17, 2007, transmitting the Department of Taxation's Electronic Funds Transfer Report.

Gov. Msg. No. 53, dated December 17, 2007, transmitting the Department of Taxation's Annual Report as required by Act 213, SLH 2007, Section 121.

Gov. Msg. No. 54, dated December 17, 2007, transmitting the Department of Taxation's Goals and Objectives Report.

Gov. Msg. No. 55, dated December 17, 2007, transmitting the Report on Establishment of the Hawaii Health Systems Corporation, Kauai Regional Board of Directors.

Gov. Msg. No. 56, dated December 18, 2007, transmitting the Department of the Attorney General's Annual Report of the Tobacco Enforcement Unit for Fiscal Year 2006-2007.

Gov. Msg. No. 57, dated December 18, 2007, transmitting the Department of the Attorney General's Report on Litigation Deposits Trust Fund Transactions and Collections Made on Behalf of Other Departments and Agencies for Fiscal Year 2006-2007.

Gov. Msg. No. 58, dated December 18, 2007, transmitting the Department of the Attorney General's Report on the Number of Pen

Register Orders and Orders for Trap and Trace Devices Applied for by Law Enforcement Agencies of the State.

Gov. Msg. No. 59, dated December 18, 2007, transmitting the Department of the Attorney General's Annual Report of Proceedings Under the Hawaii Omnibus Criminal Forfeiture Act for Fiscal Year 2006-2007.

Gov. Msg. No. 60, dated December 18, 2007, transmitting the Department of the Attorney General's Study of the Impact of Cigarette Fire Safety Standards Established in Other States.

Gov. Msg. No. 61, dated December 18, 2007, transmitting the Department of the Attorney General's Report on the Case-Based Strategy Pilot Project of the Child Support Enforcement Agency.

Gov. Msg. No. 62, dated December 18, 2007, transmitting the Report Pursuant to Section 321-234 (d) Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on the Receipt and Expenditures from the Emergency Medical Services Special Fund.

Gov. Msg. No. 63, dated December 18, 2007, transmitting the Report Pursuant to Part III, Section 32, 33, 34, 36, 37 of Act 213, Session Laws of Hawaii 2007, Requiring the Department of Health to Submit a Report that Breaks Down Emergency Ambulance Services by Contracts, Cost Categories, and Expenditure Amounts; and Report Expenditures for an Emergency Medical Technician Training Stipend Program.

Gov. Msg. No. 64, dated December 18, 2007, transmitting the Report Pursuant to Section 326-25.5, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report to the Legislature on Initiatives and Improvements in Kalaupapa Settlement and to Track Patient and Non-Patient Costs Separately, Whenever Appropriate and Possible.

Gov. Msg. No. 65, dated December 12, 2007, transmitting the Hawaii Brownfields Cleanup Revolving Loan Fund Annual Report.

Gov. Msg. No. 66, dated December 18, 2007, transmitting the Report Pursuant to Act 040, Session Laws of 2007 Entitled, "A Bill for an Act Relating to Developmental Disabilities" Requiring the State Council on Developmental Disabilities to Submit a Progress Report on the Number of Individuals with Developmental Disabilities or Mental Retardation Who Choose to Live Independently as Provided by Act 303, Session Laws of Hawaii 2006 and the Financial Impact Act 303 Has Had on the State.

Gov. Msg. No. 67, dated December 18, 2007, transmitting the Report Pursuant to Act 213, Session Laws of Hawaii 2007 Entitled, "A Bill for an Act Relating to the State Budget" Requiring the State Council on Development Disabilities to Submit an Expenditure and Progress Report of Its Activities to Support a Statewide Self-Advocacy Network.

Gov. Msg. No. 68, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report on the Recommendations Of The Task Force On Beach And Water Safety.

Gov. Msg. No. 69, dated December 19, 2007, transmitting the Public Utilities Commission's Report Pursuant to Senate Concurrent Resolution No. 3, S.D. 1 (2007 Regular Session), Requesting the Public Utilities to study the rate structures or private entities that furnish water used for agricultural purposes.

Gov. Msg. No. 70, dated December 19, 2007, transmitting the 2006 Annual Report – Special Purpose Revenue Bonds Authorized Under Act 262, Session Laws of Hawaii 1998.

Gov. Msg. No. 71, dated December 19, 2007, transmitting the Public Utilities Commission's Petroleum Industry Monitoring, Analysis and Reporting Program Summary Report for 2007.

Gov. Msg. No. 72, dated December 19, 2007, transmitting the Report on Administratively Established Appropriations as required by Act 178, Session Laws of Hawaii 2002.

Gov. Msg. No. 73, dated December 19, 2007, transmitting the Annual Report as required by Act 100, Session Laws of Hawaii 1999.

Gov. Msg. No. 74, dated December 20, 2007, transmitting the Department of Education's School Impact Fees report.

Gov. Msg. No. 75, dated December 20, 2007, transmitting the Department of Education's Superintendent's Fund report.

Gov. Msg. No. 76, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget eCSSS report.

Gov. Msg. No. 77, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget eSIS report.

Gov. Msg. No. 78, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget Mentor and Para-Educator Programs report.

Gov. Msg. No. 79, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget School Food Services report.

Gov. Msg. No. 80, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget Student Transportation Services report.

Gov. Msg. No. 81, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget Current and Projected Usage and Costs of Electricity, Sewer, and Water Services report.

Gov. Msg. No. 82, dated December 20, 2007, transmitting the Department of Education's Relating to the State Budget Various Energy Efficiency Projects and Change in Energy Usage report.

Gov. Msg. No. 83, dated December 20, 2007, transmitting the Department of Education's Relating to Educational Assistants report.

Gov. Msg. No. 84, dated December 20, 2007, transmitting the Department of Education's Agriculture Education report.

Gov. Msg. No. 85, dated December 20, 2007, transmitting the Department of Education's Integrating Peace Education Into the School Curriculum report.

Gov. Msg. No. 86, dated December 20, 2007, transmitting the Department of Education's Extent to Which Supplemental Academic Activities are Included in the A Plus After-School Program report.

Gov. Msg. No. 87, dated December 20, 2007, transmitting the Department of Education's Special Needs of Preschool Age Children with Developmental Disabilities report.

Gov. Msg. No. 88, dated December 20, 2007, transmitting the Department of Education's Providing More Opportunities for Potentially High Achieving Students report.

Gov. Msg. No. 89, dated December 20, 2007, transmitting the Department of Education's Relating to Energy report.

Gov. Msg. No. 90, dated December 20, 2007, transmitting the Department of Education's Mandatory Expulsion Policy For Possession Of A Firearm School Year 2006-07 report.

Gov. Msg. No. 91, dated December 20, 2007, transmitting the Department of Education's Educational Assessment And Accountability Annual Reports.

Gov. Msg. No. 92, dated December 20, 2007, transmitting the Department of Education's Annual Report on the Teacher Education Coordinating Council.

Gov. Msg. No. 93, dated December 20, 2007, transmitting the Department of Education's Federal And Trust Funds report.

Gov. Msg. No. 94, dated December 20, 2007, transmitting the Department of Education's Federal Grants Search, Development, And Application Revolving Fund report.

Gov. Msg. No. 95, dated December 20, 2007, transmitting the Department of Education's Carryover Of Funds report.

Gov. Msg. No. 96, dated December 20, 2007, transmitting the Department of Education's Transfers Of Appropriated Funds And Positions report.

Gov. Msg. No. 97, dated December 20, 2007, transmitting the Department of Education's School-Level Minor R & M Accounts report.

Gov. Msg. No. 98, dated December 20, 2007, transmitting the Department of Education's Relating to Energy report.

Gov. Msg. No. 99, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Relating To Activities By All Conservation And Resources Enforcement Officers That Denote General Locations, Dates, And Outcomes And The Improvements Made Due To Increased Funding For Equipment Upgrades And Clerical Staff.

Gov. Msg. No. 100, dated December 21, 2007, transmitting the Department of Land and Natural Resources' Status On The Environmental Baseline Study Of The Waianae Ocean Area.

Gov. Msg. No. 101, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Requiring All Departments And Agencies To Identify Their Goals, Objectives, And Policies, To Provide A Basis For Determining Priorities And Allocating Limited Public Funds And Human Resources.

Gov. Msg. No. 102, dated December 21, 2007, transmitting the Report Pursuant to Part III, Section 35 of the General Appropriation Act of 2007, (Act 213), Session Laws of Hawaii 2007, Requiring the Department of Health to Establish and Implement a Suicide Early Intervention and Prevention Program and Prepare and Submit a Detailed Report to the Legislature to Include Expenditures and All Activities Performed.

Gov. Msg. No. 103, dated December 18, 2007, transmitting the Report Pursuant to Section 321-1.5(6), Hawaii Revised Statutes, Primary Care Incentive Program.

Gov. Msg. No. 104, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Authorizing the Issuance Of A Term, Non-Exclusive Surface Easement At Kahaluu, North Kona, Hawaii.

Gov. Msg. No. 105, dated December 21, 2007, transmitting the Department of Transportation's Report on Section 25 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 106, dated December 21, 2007, transmitting the Department of Transportation's Report on Section 24 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 107, dated December 18, 2007, transmitting the Department of Transportation's Report on Section 130 of Act 213, Session Laws of Hawaii 2007.

Gov. Msg. No. 108, dated December 18, 2007, transmitting the Report Pursuant to Act 289, Hawaii State Legislature, 2007, Relating to Children.

Gov. Msg. No. 109, dated December 21, 2007, transmitting the Report Pursuant to Section 321-1.3, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report for the Domestic Violence and Sexual Assault Special Fund.

Gov. Msg. No. 110, dated December 21, 2007, transmitting the Report Pursuant to Act 213, General Appropriations Act 2007, Section 41, Regarding a Report on Purchase of Family Planning Services for Women's Health for FY 2008.

Gov. Msg. No. 111, dated December 21, 2007, transmitting the Report Pursuant to Section 342G-15, Hawaii Revised Statutes, Requiring the Office of Solid Waste Management to give an Annual Report on Solid Waste Management.

Gov. Msg. No. 112, dated December 18, 2007, transmitting the Report Pursuant to Section 342D-82, Hawaii Revised Statutes, Relating to the State Water Pollution Control Revolving Fund of the Department of Health.

Gov. Msg. No. 113, dated December 18, 2007, transmitting the Report Pursuant to Section 340B-12 Hawaii Revised Statutes, Requiring The Department of Health to Provide an Annual Report of the Activities of the Board of Certification of Operating Personnel in Wastewater Treatment Facilities.

Gov. Msg. No. 114, dated December 18, 2007, transmitting Report Pursuant to Section 340E-33, Hawaii Revised Statutes, Relating to the Drinking Water Treatment Revolving Loan Fund of the Department of Health.

Gov. Msg. No. 115, dated December 18, 2007, transmitting the Report Related to House Concurrent Resolution H.C.R. No. 162 Requesting Certain Action Concerning the Conducting of a Test to Convert H-Power Ash to Reusable Material.

Gov. Msg. No. 116, dated December 18, 2007, transmitting the Report Pursuant to Chapter 321-27.5, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Audit Report of the Sanitation Branch.

Gov. Msg. No. 117, dated December 18, 2007, transmitting the Report Pursuant to Section 3, Act 170, 2006, Session Laws Directing the Department of Health to Evaluate the Requirements for a Statewide Process to Decontaminate Illegal Methamphetamine Manufacturing Sites.

Gov. Msg. No. 118, dated December 18, 2007, transmitting the Report Pursuant to Chapter 321-27, Hawaii Revised Statutes, Requesting the Department of Health to Submit a Report on the Status of the Environmental Health Education Fund.

Gov. Msg. No. 119, dated December 21, 2007, transmitting the Report Pursuant to Act 213 (2007), Section 38, A Bill Relating to the State Budget Requiring the Department of Health to Prepare a Report on the Implementation of Medicaid Home & Community-Based Services.

Gov. Msg. No. 120, dated December 21, 2007, transmitting the Report Pursuant to Section 16, Act 176, Twenty-First Legislature 2002, Section 2, Act 228, Twenty-Third Legislature 2005, and Section 2, Act 231, Twenty-Fourth Legislature 2006 (Amending Section 6, Session Laws of Hawaii 2005) Requiring the Department of Health to give a Report on the Activities of the Deposit Beverage Container Program.

Gov. Msg. No. 121, dated December 20, 2007, transmitting the Department of Education's Incentive And Innovation Grant Trust Fund report.

Gov. Msg. No. 122, dated December 19, 2007, transmitting the Department of Budget and Finance's report on goals and action plans.

Gov. Msg. No. 123, dated December 26, 2007, transmitting the Restructuring Status Report of the Public Utilities Commission for Fiscal Year 2006-07.

Gov. Msg. No. 124, dated December 19, 2007, transmitting the Public Utilities Commission's Special Fund Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 125, dated December 19, 2007, transmitting the Public Utilities Commission's Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 126, dated December 18, 2007, transmitting the Report Pursuant to Act 213 (H.B. No. 500, H.D.1, S.D.1, C.D.1), Part 3, Section 64, Requesting the Executive Office on Aging to Coordinate Family Caregiver Support Services.

Gov. Msg. No. 127, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report on the Hawaii Statewide Trail And Access System "Na Ala Hele."

Gov. Msg. No. 128, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Requesting The Department Of Land And Natural Resources To Conduct An Analysis Of Incentives To Promote Landowner Protection Of Important Mauka Lands.

Gov. Msg. No. 129, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report on the Status Of The Issuance Of Incidental Take Licenses For Endangered, Threatened, Proposed, And Candidate Species; And The Condition Of the Endangered Species Trust Fund For The Period July 1, 2006 – June 30, 2007.

Gov. Msg. No. 130, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Relating To The Wildlife Revolving Fund Fiscal Year 2006-2007.

Gov. Msg. No. 131, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Relating To The Natural Area Reserves System, Natural Area Partnership Program, And The Financial Condition Of The Natural Area Reserve Fund.

Gov. Msg. No. 132, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Relating To The Forest Stewardship Program.

Gov. Msg. No. 133, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Relating To The Land Conservation Fund And The Legacy Land Conservation Program.

Gov. Msg. No. 134, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report on the Operations Of The Filing Office For Financing Statements Under The Uniform Commercial Code, Secured Transactions (Revised Article 9).

Gov. Msg. No. 135, dated December 21, 2007, transmitting the Department of Land Natural Resources' report on Disaster Relief Expenditures Resulting From The October 15, 2006 Kiholo Bay Earthquake.

Gov. Msg. No. 136, dated December 26, 2007, transmitting the Hawaii Real Estate Commission's Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 137, dated December 26, 2007, transmitting the Medical Claims Conciliation Panel Annual Report.

Gov. Msg. No. 138, dated December 20, 2007, transmitting the Report pursuant to Senate Concurrent Resolution 164, Regular Session 2007.

Gov. Msg. No. 139, dated December 26, 2007, transmitting the Department of Commerce and Consumer Affairs' Annual Compliance Resolution Fund Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 140, dated December 26, 2007, transmitting the Institutional Network ("INET") Report, pursuant to HB 500, H.D. 1, S.D. 1, C.D. 1.

Gov. Msg. No. 141, dated December 26, 2007, transmitting the Condominium Management Dispute Resolution Process Pilot Program Report.

Gov. Msg. No. 142, dated December 26, 2007, transmitting the Report on How the Department of Commerce and Consumer Affairs' Expenditures will be Aligned with its Special Fund Revenue Collections.

Gov. Msg. No. 143, dated December 26, 2007, transmitting the Report of the Division of Consumer Advocacy, Department of Commerce and Consumer Affairs, Relating to the Emergency Appropriation to Investigate the Major Power Outages that Occurred on October 15, 2006, on the Islands of Oahu, Maui and Hawaii.

Gov. Msg. No. 144, dated December 26, 2007, transmitting the Lost [*sic*] Mitigation Grant Program Report, pursuant to Section 431:22-102(c), Hawaii Revised Statutes.

Gov. Msg. No. 145, dated December 26, 2007, transmitting the External Review Report, pursuant to Section 432E-13, Hawaii Revised Statutes.

Gov. Msg. No. 146, dated December 27, 2007, transmitting the Office of Information Practices' Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 147, dated December 26, 2007, transmitting the Department of Taxation's Report providing draft legislation to recodify the Capital Goods Excise Tax Credit.

Gov. Msg. No. 148, dated December 27, 2007, transmitting the Report on Establishment of the Hawaii Health Systems Corporation, Maui Regional Board of Directors, pursuant to Act 290, SLH 2007.

Gov. Msg. No. 149, dated December 27, 2007, transmitting the Department of Education's Relating to Education Online Learning Task Force report.

Gov. Msg. No. 150, dated December 27, 2007, transmitting the Department of the Attorney General's Interim Report of the Compacts of Free Association Task Force.

Gov. Msg. No. 151, dated December 27, 2007, transmitting the Department of Education's Relating to the State Budget General Fund Appropriation of $5,000,000 for Restructuring Schools Under No Child Left Behind report.

Gov. Msg. No. 152, dated December 27, 2007, transmitting the Department of Education's Comprehensive Accountability System report.

Gov. Msg. No. 153, dated December 27, 2007, transmitting the Department of Education's report Air Cooling Needs of Each School Complex and Use of Alternative Air Cooling Methods.

Gov. Msg. No. 154, dated December 27, 2007, transmitting the Department of Education's School-by-School Expenditure Report.

Gov. Msg. No. 155, dated December 20, 2007, transmitting the Department of Education's Early Childhood Education report.

Gov. Msg. No. 156, dated December 31, 2007, transmitting the Report from the Department of Transportation and the Department of Health on Act 72, Section 12, Session Laws of Hawaii 2005.

Gov. Msg. No. 157, dated December 21, 2007, transmitting the Report from the Department of Transportation on House Concurrent Resolution No. 28, Session Laws of Hawaii 2007.

Gov. Msg. No. 158, dated December 21, 2007, transmitting the Report Pursuant to ACT 213, Section 48, Session Laws of Hawaii 2007, Requiring the Department of Health to Submit a Report on the Adult Mental Health Division's Purchase of Service Contracts.

Gov. Msg. No. 159, dated December 27, 2007, transmitting the Annual Report on Homeless Programs pursuant to Section 2 of Act 100, SLH 2006.

Gov. Msg. No. 160, dated December 26, 2007, transmitting the Energy Feedstock Program Report as required by Act 159, Session Laws of Hawaii 2007.

Gov. Msg. No. 161, dated December 27, 2007, transmitting the Report on the Narcotics Enforcement Division as required by Section 329-11, Hawaii Revised Statutes.

Gov. Msg. No. 162, dated December 21, 2007, transmitting the Report Pursuant to Chapter 321H-4, Hawaii Revised Statutes Requiring the Department of Health to Provide an Annual Report on the Activities Under the Neurotrauma Special Fund.

Gov. Msg. No. 163, dated December 21, 2007, transmitting the Report Pursuant to Act 213 (2007), Section 39, A Bill Relating to the State Budget Requiring the Department of Health to Prepare a Report on the Subsidizing of Residents Living in Apartments and Developmental Disabilities Domiciliary Homes for Individuals.

Gov. Msg. No. 164, dated December 21, 2007, transmitting the Report Pursuant to Chapter 333F, Section 6, Hawaii Revised Statutes, Regarding Services for Persons with Developmental Disabilities or Mental Retardation, Directing the Department of Health to Keep Waiting Lists of All Individuals Who are Eligible for Services and Supports, But for Whom Services and Supports have not been Provided, and the Reasons for the Lack of Services and Supports.

Gov. Msg. No. 165, dated December 27, 2007, transmitting the Department of the Attorney General's 2007 Annual Report Recommendations for Denial of Claims for Legislative Relief.

Gov. Msg. No. 166, dated December 27, 2007, transmitting the Annual Report on Strategic Plan, Timetable and Performance Measures.

Gov. Msg. No. 167, dated December 27, 2007, transmitting the Expenditure Report for Federal Reimbursement Maximization Special Funds.

Gov. Msg. No. 168, dated December 27, 2007, transmitting the Report on Inmates and Out-of-State Correctional Facilities Costs.

Gov. Msg. No. 169, dated December 26, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Annual Report of the Office of Language Access for fiscal year ending June 30, 2007.

Gov. Msg. No. 170, dated December 26, 2007, transmitting the Insurance Commissioner's Annual Report in compliance with Section 431:2-211, Hawaii Revised Statutes.

Gov. Msg. No. 171, dated December 28, 2007, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force.

Gov. Msg. No. 172, dated December 7, 2007, transmitting the 2005-2006 Annual Report prepared by the Hawai'i State Foundation on Culture and the Arts, pursuant to Chapter 9-3, Hawai'i Revised Statutes.

Gov. Msg. No. 173, dated December 26, 2007, transmitting the Department of Labor and Industrial Relations' (DLIR) Annual Evaluation of the Hawai'i Unemployment Compensation Fund for fiscal year ending June 30, 2007.

Gov. Msg. No. 174, dated December 21, 2007, transmitting the Report Pursuant to Section 321-195, Hawaii Revised Statutes, Requiring a Report on Implementation of the State Plan for Substance Abuse; Section 329-3, Hawaii Revised Statutes, Requiring a Report by the Hawaii Advisory Commission on Drug Abuse and Controlled Substances; Section 10 of Act 161 Session Laws of Hawaii 2002, Requiring a Status Report on the Coordination of Offender Substance Abuse Treatment Programs; and Section 29 of Act 40 Session Laws of Hawaii 2004, Requiring a Progress Report on the Substance Abuse Treatment Monitoring Program.

Gov. Msg. No. 175, dated December 27, 2007, transmitting the Department of the Attorney General's 2008 Goals and Objectives.

Gov. Msg. No. 176, dated December 21, 2007, transmitting the Report Pursuant to Section 349-5(b)(2) Hawaii Revised Statutes, Requiring the Executive Office on Aging to Provide an Annual Evaluation Report on Elder Programs for the Governor and to the Legislature.

Gov. Msg. No. 177, dated December 21, 2007, transmitting the Report Pursuant to Section 334-10(E), Hawaii Revised Statutes, Requiring the State Council on Mental Health to Submit an Annual Report to the Governor and the Legislature on Implementation of the State Plan.

Gov. Msg. No. 178, dated December 27, 2007, transmitting the Report Pursuant to HB 500 Part III Section 49 Hawaii State Hospital, Security Enhancements.

Gov. Msg. No. 179, dated January 4, 2008, transmitting the Report Pursuant to Act 213, SLH 2007, Part III, Section 40 Which Requests the Early Intervention Services Program to Provide a Detailed Report Evaluating its Delivery of Services and Specifically Focusing All of the Early Intervention Purchase of Service and Fee-for-Service Contracts.

Gov. Msg. No. 180, dated January 4, 2008, transmitting the Report Pursuant to House Concurrent Resolution 261, House Draft 1, Regular Session 2006, Requesting the Department of Health, with the Assistance of the Department of Land and Natural Resources, and the Department of Facilities Maintenance of the City and County of Honolulu, to Report to the Legislature on the Relationship between Various Kailua Waterways, including the Kaelepulu Pond, and the Water Quality and Natural Resources of Kailua Beach and Kailua Bay.

Gov. Msg. No. 181, dated January 4, 2008, transmitting the Report Pursuant to Chapter 128D and 128E, Hawaii Revised Statutes Requiring the Department of Health to Report Environmental Response Law and Hawaii Emergency Planning and Community Right to Know Act Financial and Environmental Site Information.

Gov. Msg. No. 182, dated December 26, 2007, transmitting the Department of Accounting and General Services' Annual Report on Goals and Objectives for fiscal year ending June 30, 2007.

Gov. Msg. No. 183, dated January 4, 2008, transmitting the Department of Human Services' Report as required by Act 302, SLH 2007.

Gov. Msg. No. 184, dated January 4, 2008, transmitting the Department of Human Services' Report as required by Act 213, Part 7, Section 209, SLH 2007.

Gov. Msg. No. 185, dated January 4, 2008, transmitting the Department of Human Services' Report as required by Act 213, Part 7, Section 210, SLH 2007.

Gov. Msg. No. 186, dated December 26, 2007, transmitting the Hawaii Employer-Union Health Benefits Trust Fund's Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 187, dated January 7, 2008, transmitting the Department of Land and Natural Resources' report on the Accounting Of All Receipts From Lands Described In Section 5(f) Of The Admission Act For Fiscal Year 2006-2007.

Gov. Msg. No. 188, dated December 27, 2007, transmitting the 8th Annual Report Summary of the Small Business Regulatory Review Board, prepared by the Business & Community Assistance Branch of the Department of Business, Economic Development, and Tourism.

Gov. Msg. No. 189, dated January 7, 2008, transmitting the Department of Land and Natural Resources' report On Land Dispositions Made Of Public Lands For Calendar Year 2007.

Gov. Msg. No. 190, dated January 4, 2008, transmitting the Department of Accounting and General Services' Annual Report on the Wireless Enhanced 911 Board for the period July 1, 2006 through June 30, 2007.

Gov. Msg. No. 191, dated January 4, 2008, transmitting the Department of Accounting and General Services' Annual Report on the Building Code Council for the period July 1, 2007 through December 15, 2007.

Gov. Msg. No. 192, dated January 3, 2008, transmitting the Report pursuant to Act 278, SLH 2007, on the Feasibility Study of establishing a captive insurance company for Hawaii Health Systems Corporation.

Gov. Msg. No. 193, dated January 7, 2008, transmitting the Department of Land and Natural Resources' report on Budgetary And Other Issues Regarding Invasive Species.

Gov. Msg. No. 194, dated January 9, 2008, transmitting the Department of the Attorney General's Report on Any Shortage or Condition Affecting the Supply of Petroleum Products.

Gov. Msg. No. 195, dated January 11, 2008, transmitting the Department of the Attorney General's Report of the Hawaii Anti-Trafficking Task Force.

Gov. Msg. No. 196, dated January 9, 2008, transmitting the Office of Youth Services' Safehouse Report.

Gov. Msg. No. 197, dated December 28, 2006, [*sic*] transmitting the Distribution and Availability of Non-Ethanol Gasoline as required by Act 130, Session Laws of Hawaii 2007.

Gov. Msg. No. 198, dated December 28, 2007, transmitting the State Energy Resources Coordinator's 2007 Annual Report pursuant to Chapter 196-4(11), Hawaii Revised Statutes.

Gov. Msg. No. 199, dated January 7, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) 2008 Report on Workforce Development for fiscal year ending June 30, 2007.

Gov. Msg. No. 200, dated January 7, 2008, transmitting the Department of Land and Natural Resources' report Memorializing Japanese Internment Camps In Hawaii.

Gov. Msg. No. 201, dated January 9, 2008, transmitting the HB 500, Act 213 (2007), Section 102, Report on Inmate Re-entry Program.

Gov. Msg. No. 202, dated January 7, 2008, transmitting the Report on the Study, Control and Mitigation of the Bee Mite Infestation.

Gov. Msg. No. 203, dated January 10, 2008, transmitting the Department of Human Services' Report as required by Act 213, Part III, Sections 56 and 60, SLH 2007.

Gov. Msg. No. 204, dated January 10, 2008, transmitting the Department of Human Services' Report as required by Act 213, Part III, Section 16, SLH 2007.

Gov. Msg. No. 205, dated January 9, 2008, transmitting the HB 500, Act 213 (2007), Section 101 - Report on Inmate Apprenticeship Program, Section 103 – Inmate Transitional Work Furlough Substance Abuse Treatment Services and Section 104 – Inmate Transition and Job Development Program.

Gov. Msg. No. 206, dated January 4, 2008, transmitting the Department of Accounting and General Services' of the State Foundation of Culture and the Arts – Report on the Committee for the Museum of Hawaiian Music and Dance for the period July 1, 2007 through December 28, 2007.

Gov. Msg. No. 207, dated January 9, 2008, transmitting the Report on Gender Responsive Community Based Programs for Women.

Gov. Msg. No. 208, dated December 24, 2007, transmitting the Report on the Department of Public Safety Capital Improvement Program Appropriations.

Gov. Msg. No. 209, dated January 11, 2008, transmitting the Access Hawaii Committee and the Department of Accounting and General Services' Annual Report on the Operation of the Internet Portal for the period January 1, 2007, through December 21, 2007.

Gov. Msg. No. 210, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report on Activities Of The Kaneohe Bay Regional Council For The Year 2007.

Gov. Msg. No. 211, dated December 21, 2007, transmitting the Department of Land and Natural Resources' report Plan to Implement So Called "Pump-Don't Dump" Stations, Where Mobile Pump Trucks Pump Sewage From Vessels And Transport The Sewage To Land-Based Sewage Treatment Facilities.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 1 through 32) were received by the Clerk and were placed on file:

Dept. Com. No. 1, dated August 22, 2007, from James B. Nicholson, Chair, Hawaii Labor Relations Board, transmitting the 2006-2007 Annual Report.

Dept. Com. No. 2, dated September 7, 2007, from Dr. Pearl Imada Iboshi, Economics Research Administrator, Department of Business, Economic Development & Tourism, transmitting the 2007 Hawaii Data Disc.

Dept. Com. No. 3, dated June 2007, from the Research & Statistics Branch, Crime Prevention & Justice Assistance Division, Department of the Attorney General, transmitting the Crime & Justice in Hawaii: 2005 Household Survey Report.

Dept. Com. No. 4, dated October 2007, from the Office of the Auditor, transmitting the Review of Revolving Funds, Trust Funds, and Trust Accounts of the Departments of Human Resources Development, Labor and Industrial Relations, Public Safety, and Taxation.

Dept. Com. No. 5, dated November 5, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the University of Hawai'i's Continued Participation in the Western Interstate Commission of Higher Education.

Dept. Com. No. 6, dated September 5, 2007, from the University of Hawai'i System, transmitting the Annual Report on Energy Efficient Design Standards for the University of Hawai'i at Manoa.

Dept. Com. No. 7, dated November 21, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on Salaries Paid to Executive/Managerial and Faculty Employees.

Dept. Com. No. 8, dated November 26, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on Teacher Education Coordinating Committee.

Dept. Com. No. 9, from the Research and Statistics Office, Department of Labor and Industrial Relations, transmitting the Workers' Compensation Data Book 2006.

Dept. Com. No. 10, dated October 2007, from the Research and Statistics Office, Department of Labor and Industrial Relations, transmitting the report, 2006 Employment and Payrolls in Hawai'i: A Report on Covered Employment and Wages.

Dept. Com. No. 11, dated December 10, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report from the Medical Education Council on a Summary of the Expenditures of Program Moneys Authorized by the Council.

Dept. Com. No. 12, dated December 10, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Community College Conference Center Revolving Fund.

Dept. Com. No. 13, dated December 10, 2007, from David McClain, President, University of Hawai'i System, transmitting the Report on Hawaii Excellence through Science and Technology Academy Pilot Program.

Dept. Com. No. 14, dated December 10, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Screening, Brief Intervention, and Referral to Substance Abuse Treatment (SBIRT) Initiative for 2008.

Dept. Com. No. 15, dated December 10, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Hawai'i AIDS Research Program for 2008.

Dept. Com. No. 16, dated December 13, 2007, from David McClain, President, University of Hawai'i System, transmitting the Status Report on Making an Appropriation for Energy Efficient Transportation Strategies.

Dept. Com. No. 17, dated December 3, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Operations of the Hawai'i Research Center for Futures Studies.

Dept. Com. No. 18, dated December 3, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Hawai'i Natural Energy Institute.

Dept. Com. No. 19, dated December 3, 2007, from David McClain, President, University of Hawai'i, transmitting the Annual Report on the Nursing Scholars Program.

Dept. Com. No. 20, dated December 3, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Hawai'i Institute for Educational Partnerships.

Dept. Com. No. 21, dated December 26, 2007, from Marion M. Higa, Auditor, Office of the Auditor, transmitting the Financial Audit of the Department of Human Resources Development.

Dept. Com. No. 22, dated December 2007, from the Office of the Auditor, transmitting the Systemwide Financial Audit of the University of Hawai'i System: Phase II.

Dept. Com. No. 23, dated December 2007, from the Hawaii Employer-Union Health Benefits Trust Fund, transmitting their Annual Report for Fiscal Year 2006-2007.

Dept. Com. No. 24, dated December 27, 2007, from Marion M. Higa, Auditor, Office of the Auditor, transmitting the Hawai'i 2050 Sustainability Task Force Report.

Dept. Com. No. 25, dated March 27, 2007, from Marion M. Higa, Auditor, Office of the Auditor, transmitting the Hawai'i Identity Theft Task Force Report.

Dept. Com. No. 26, dated December 31, 2007, from Marion M. Higa, Auditor, Office of the Auditor, transmitting the Hawai'i Broadband Task Force Initial Report.

Dept. Com. No. 27, dated December 27, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on Research and Training Revolving Fund.

Dept. Com. No. 28, dated December 27, 2007, from David McClain, President, University of Hawai'i System, transmitting the Report on Community Colleges Enrollment Growth Funding.

Dept. Com. No. 29, dated December 27, 2007, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on Revenues, Distributions, Expenditures and Cash Balance from the Research & Training Revolving Fund.

Dept. Com. No. 30, dated January 7, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Destination Clubs.

Dept. Com. No. 31, dated December 2007, from the Office of the Ombudsman, transmitting the Report of the Ombudsman For the Period July 1, 2006 – June 30, 2007 Report No. 38.

Dept. Com. No. 32, dated January 10, 2008, from David McClain, President, University of Hawai'i System, transmitting The Research Corporation of the University of Hawai'i's Annual Report for the fiscal year ending June 30, 2007.

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 1) was received by the Clerk and was placed on file:

Misc. Com. No. 1, dated January 10, 2008, from Donald B. Young, Director, Hawai'i Educational Policy Center, transmitting their Interim Report in response to SCR 56 S.D. 1.

INTRODUCTIONS

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

Representative Green introduced a member of his staff, Mr. Nicholas Green.

Representative M. Oshiro introduced Ms. Evie Tamashiro and Mr. Manny Kuloio.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
2182	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2183	Committee on Energy & Environmental Protection, then to the Committee on Finance
2184	Committee on Human Services & Housing, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2185	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
2186	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
2187	Committee on Health, then to the Committee on Consumer Protection & Commerce
2188	Committee on Tourism & Culture, then to the Committee on Finance
2189	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Tourism & Culture, then to the Committee on Finance
2190	Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance
2191	Committee on Education, then to the Committee on Finance
2192	Committee on Education, then to the Committee on Finance
2193	Committee on Education, then to the Committee on Finance
2194	Committee on Human Services & Housing, then to the Committee on Finance
2195	Committee on Human Services & Housing, then to the Committee on Finance
2196	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance
2197	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2198	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2199	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2200	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2201	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2202	Committee on Economic Development & Business Concerns, then to the Committee on Finance
2203	Committee on Human Services & Housing, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2204	Committee on Judiciary
2205	Committee on Labor & Public Employment, then to the Committee on Finance
2206	Committee on Labor & Public Employment, then to the Committee on Finance
2207	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2208	Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2209	Committee on Human Services & Housing, then to the Committee on Finance
2210	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2211	Committee on Energy & Environmental Protection, then to the Committee on Finance
2212	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2213	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2214	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

HOUSE COMMUNICATION

Representative Caldwell, for the Interim Task Force on Standards of Conduct, established pursuant to H.R. No. 176, H.D. 1, 2007, presented a report (Spec. Task Force Rep. No. 1-08) recommending that Spec. Task Force Rep. No. 1-08 be adopted.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, Spec. Task Force Rep. No. 1-08 was adopted, with Representatives Pine and Souki being excused.

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 2367 through 2395) passed First Reading by title and were referred to Printing: (Representative Souki was excused.)

H. B. Nos.

2367 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi, Berg and Takamine.

2368 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi, Berg and Takamine.

2369 "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND."

Introduced by: Representatives Takumi, Berg and Takamine.

2370 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

2371 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representative Takumi.

2372 "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS."

Introduced by: Representatives Yamane, Hanohano, Chang, Tsuji and Yamashita.

2373 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOOKINI HEIAU."

Introduced by: Representatives Yamane, Caldwell, Herkes, and M. Oshiro.

2374 "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY."

Introduced by: Representative Yamane.

2375 "A BILL FOR AN ACT RELATING TO ALOHA STADIUM."

Introduced by: Representative Yamane.

2376 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Representatives Yamane, Evans, Tsuji and Yamashita.

2377 "A BILL FOR AN ACT RELATING TO STATE VEHICLE WEIGHT TAX."

Introduced by: Representatives Yamane, Evans, Tsuji and Yamashita.

2378 "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT."

Introduced by: Representative Evans.

2379 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Shimabukuro.

2380 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."

Introduced by: Representative Shimabukuro.

2381 "A BILL FOR AN ACT RELATING TO THE HAIKU DISTRICT OF THE COUNTY OF MAUI."

Introduced by: Representatives Carroll, Chong, Hanohano, Herkes, Waters, Yamashita, Brower, Karamatsu and Shimabukuro.

2382 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE HAIKU REGION OF MAUI."

Introduced by: Representatives Carroll, Brower, Chong, Hanohano, Herkes, Karamatsu, Shimabukuro, Waters, Yamashita and Ward.

2383 "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS."

Introduced by: Representatives Carroll, Hanohano, Herkes, Shimabukuro, Waters, Brower, Chong and Karamatsu.

2384 "A BILL FOR AN ACT RELATING TO THE ISLAND OF KAHO'OLAWE."

Introduced by: Representatives Carroll, Brower, Chong, Hanohano, Herkes, Karamatsu, Shimabukuro, Waters, Ward and Yamashita.

2385 "A BILL FOR AN ACT RELATING TO JURIES."

Introduced by: Representatives Carroll, Hanohano, Herkes, Karamatsu, Shimabukuro and Ward.

2386 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Ito, Karamatsu, Lee and Takamine.

2387 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Belatti, Brower, Cabanilla, Ito, Karamatsu and Takamine.

2388 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Belatti, Brower, Ito, Karamatsu and Takamine.

2389 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Cabanilla, Belatti, Ito, Karamatsu and Takamine.

2390 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Cabanilla, Mizuno, Belatti, Brower, Ito, Karamatsu, Lee, Takamine and Tsuji.

2391 "A BILL FOR AN ACT RELATING TO LEGAL SERVICE."

Introduced by: Representative Waters.

2392 "A BILL FOR AN ACT RELATING TO AMMUNITION."

Introduced by: Representative Waters.

2393 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Waters.

2394 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Waters, by request.

2395 "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT."

Introduced by: Representative M. Oshiro.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 1 through 3) were announced by the Clerk and were disposed of as follows:

H.R. No. 1, entitled: "HOUSE RESOLUTION ELECTING THE VICE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 1 was adopted with Representatives Pine and Souki being excused.

At this time, the Chair called upon Representative Chong who rose to be recognized.

H.R. No. 2, entitled: "HOUSE RESOLUTION RELATING TO THE CAUCUS LEADERS AND THE COMMITTEE ASSIGNMENTS OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative Finnegan and carried, H.R. No. 2 was adopted with Representatives Pine and Souki being excused.

H.R. No. 3, entitled: "HOUSE RESOLUTION AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE TWENTY-FOURTH LEGISLATURE OF THE STATE OF HAWAII AND ADOPTING OPERATING PROCEDURES FOR THE HOUSE SELECT COMMITTEE ON STANDARDS OF CONDUCT," was jointly offered by Representatives Caldwell, B. Oshiro and Finnegan.

Representative Caldwell moved that H.R. No. 3 be adopted, seconded by Representative Finnegan.

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

"Thank you, Mr. Speaker. I'm speaking in support of HR No. 3. I want to commend the Interim Task Force that put together these rules. I also want to commend this body for trying to adopt some change in ethics reforms that will reflect a more open and transparent procedure, particularly with the Select Committee on Standards of Conduct.

"In that same vein however, I do hope that as we move forward in the experiment with this Committee that we hold ourselves with high standards and where there is a need for change, we recognize that. It is a test, and it's a great test for this House. So, thank you Mr. Speaker, in support of this Resolution."

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

"Mr. Speaker, I rise in approval of this, in favor of this. These horns outside are distracting me, but they are encouraging me to say something.

"Mr. Speaker, character is what we do when no one else is looking and I think this bill and these rules give us transparency and sheds light on what we are going to do, and I think it's going to be a great benefit. I was very impressed at much of what the task force has done based on the U.S. Senate, which fortunately for the Minority is an equal representation. When it comes to doing what's right, I don't think majority rule should be the rule of thumb.

"So thank you to the task force. Thank you to this body. I think we're going to be better for it. Thank you, Mr. Speaker."

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

"Mr. Speaker, brief comments of support. Much of this effort comes from all of us. As people remember, we did introduce a bill last Session, H.B. No. 1901, which was very aggressive legislation. And questions were raised. In the end though, it was because of the input we got from many members of our Caucus, both the Majority and Minority Caucuses that resulted with what you see before you today.

"And yes it is a work in progress. It's a great first step. And I think, if you look back over the history of our Legislature from the days of the Territory to when we became a State, I think it's the first time we have seen a free standing Code of Conduct Committee, and we're all to be congratulated. It's no one person. It's all of us working together. Thank you very much, Mr. Speaker."

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

"Thank you, Mr. Speaker. I just have short comments, but in strong support of this Resolution. I just wanted to thank everyone on this Floor for working with the body as a whole to get this Committee together. I think it speaks volumes that we do have an equal representation of Majority and Minority members, and I know that it's a big thing for this Committee. Thank you."

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

"Mr. Speaker, I also rise in support of this Resolution. I want to thank the taskforce for all of their hard work over the interim. I want

to point out a couple of matters. I'm really not into form over substance, but I think that as this process is refined and as the rules are refined, we might want to consider a couple of points.

"One is the appointment authority for this Committee. I think it would not be unfair or unwise to allow the Minority Party to appoint their own members to this Committee. We have already allowed them to do that in other commissions that are of, or handle matters of statewide significance such as our Reapportionment Commission and our Elections Commission where we allow the Minority Party to appoint their own members, to represent their interests on those commissions.

"And the other point I want to raise is that the scope of the Committee may have to be clarified at some point because the amendment to the House Rules limits the scope of jurisdiction of the Committee, basically to violations of HRS Chapter 84 and to other violations of our Standards of Conduct. Yet the internal rules for the Committee open the door to all laws considerably of the State. I think that that discrepancy may give rise to some confusion of the jurisdiction of the Committee. And we may also intrude upon other entities that have jurisdiction over all laws, other than Chapter 84 which is the Ethics Code to investigate those other statutes.

"So notwithstanding those comments, I'm very appreciative of this resolution. Thank you very much."

Representative Meyer rose, stating:

"Thank you very much, Mr. Speaker. I would like to thank the Majority Leader and the Majority Floor Leader for their leadership in our taskforce. We all worked very well together, but I would like it noted in the record that while the Majority did introduce a very comprehensive bill on ethics, it didn't pass. And the Resolution that was worked on was a Resolution that the Minority introduced late last Session and was the vehicle to get us where we are today.

"But we couldn't have done it without cooperation from both sides, and I think this says a lot for the working relationship we have and shows the public that we want to work under the highest standards possible and this gets us closer to that. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 3 was adopted with Representatives Pine and Souki being excused.

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

"Thank you. Mr. Speaker. I would like to request a ruling on a blanket potential conflict of interest for Session and Committee hearings. This request would not include any matters which possibly would provide financial benefit. Thank you, Mr. Speaker. I'm the mother of the Chairperson of the Department of Land and Natural Resources, Laura H. Thielen. Thank you," and the Chair ruled, "no conflict."

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, for the Members of the Small Business Caucus, or those who are supporters of small business, just a reminder: The BYOB that's going on – Bring Your Own Bills to Room 423. The signing will proceed for another short period of time. If they haven't brought their bills, hopefully they'll bring their signatures, and we will wrap that up today. Thank you."

Representative Evans: "Thank you, Mr. Speaker. As the Chair of the Heritage Caucus, I just want to remind my colleagues that in Room 423, we still have an opportunity to sign bills related to heritage and cultural preservation. Again, that's in Room 423, and we have up to 1:00. Thank you."

Representative Lee: "Mr. Speaker I would just like to remind Members that they have until 1:00 to take advantage of the opportunity to sign the Women's Caucus bills.

"On another matter, if I may. Last night there was probably the most horrific example of domestic violence which has ever occurred in my memory. A 30-year-old lady was bludgeoned to death with the butt of a rifle. I am just wondering if we could take a moment to pause in remembrance and think about what we can do in the future to prevent this from happening again."

At this time, the House of Representatives paused for a moment of silent remembrance and reflection.

Representative Caldwell: "Thank you, Mr. Speaker. I have a brief announcement. Yesterday we gathered to celebrate the opening of the Legislature. But we also gathered for another reason and that was for the birthday of one of our members. That person would be upset if I mentioned their name, but I'll give you a brief hint.

"This person exercises like a fiend every morning at Gold's Gym. This person sometimes has a goatee, or most of the time. And every so often he'll wear an earring in his ear. So I don't know if you can guess who that is, but he is one year older. I won't mention his age, and I would like to wish him a very happy birthday and I am glad that he is a member of our Caucus and a member of the House. Thank you."

Speaker Say: "You all know who the person is, right? Ok. I won't mention his name."

ADJOURNMENT

At 12:25 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, January 18, 2008. (Representatives Pine and Souki were excused.)

THIRD DAY

Friday, January 18, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:11 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Sharon E. Har, after which the Roll was called showing all members present with the exception of Representatives Brower, Ching, Manahan and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 212 and 213) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 212, dated January 18, 2008, transmitting the 2007 DBEDT Annual Report as required under Chapter 201-10, Hawaii Revised Statutes.

Gov. Msg. No. 213, dated January 16, 2008, transmitting the Report Pursuant to Section 334-15, Hawaii Revised Statutes, Requiring the Department of Health to Submit an Annual Report on the Mental Health and Substance Abuse Special Fund.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 1 through 3) were received and announced by the Clerk:

Sen. Com. No. 1, returning H.C.R. No. 1, entitled: "HOUSE CONCURRENT RESOLUTION RELATING TO RECESS DAYS FOR THE REGULAR SESSION OF 2008," which was adopted by the Senate on January 17, 2008.

Sen. Com. No. 2, returning H.C.R. No. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO ADDRESS THE LEGISLATURE ASSEMBLED IN JOINT SESSION," which was adopted by the Senate on January 17, 2008.

Sen. Com. No. 3, transmitting S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES POSTAL SERVICE TO ISSUE A POSTAL STAMP HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS," which was adopted by the Senate on January 17, 2008.

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

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

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of S.C.R. 1. Nisei soldiers of World War II gave ungrudgingly. Their service to our country was not a trade, but an offering. They defended our country even when many of their family members were relocated to intern camps.

"Today, many of our *nisei* World War II veterans are now in their 80s and 90s. Many have passed away, like my father and my uncle, and many died while defending our country. Our Japanese American soldiers of World War II proved their loyalty through the sacrifices they made in service to the United States.

"Mr. Speaker, the California State Assembly has a similar Concurrent Resolution and it is my understanding that their Chambers will have a Floor vote on said Resolution on Tuesday, January 22, 2008. The Illinois Legislature also has a similar Resolution, but at this time they have not scheduled it for hearing. Thus, if we pass this Resolution today, we'll be the first legislature in the nation to pass such an initiative.

"I humbly ask all Members to support S.C.R. 1. I urge the Citizens Stamp Advisory Committee and the U.S. Postmaster to issue a current postage stamp honoring our *nisei* World War II veterans, our service men and women. I would also like to commend the Senate President and the good Senator from Kaimuki/Kapahulu for supporting this most important campaign.

"And finally I would like to thank you, Mr. Speaker and leadership for allowing us this opportunity to vote on this most important Resolution to honor our *nisei* World War II service men and women. Thank you."

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

"Thank you Mr. Speaker, I stand in support. Over 300 *nisei* women also served in the United States Women's Army Corps and Cadet Nurses Corps. They should also be recognized for their bravery and loyalty to our country during World War II.

"The 100th and 442nd Regimental Combat Team's rescue of the lost battalion was acknowledged to be one of the most prominent battles in the United States Army history. This regiment led a heroic drive through German lines and suffered tremendous casualties in the Vosges Mountains in October 1944. But their drive led to the rescue and freeing of over 200 fellow American soldiers of the 36th Texas Division. The *nisei* soldiers of World War II earned over 9,000 Purple Hearts, 21 Medals of Honor and a total of nine Presidential Unit citations. I believe Mr. Speaker that they are, if not the most, one of the most decorated units.

"I think it’s time that we recognize the contributions and sacrifices of our *nisei* World War II veterans and I ask Members to also support the passage of S.C.R. 1."

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

"Thank you, Mr. Speaker. In strong support. May I have the words of the good Representative of Kalihi entered into the record as if they were my own, except for the portion about, 'my father and uncle.' May I have that replaced with, 'many good family friends,'" and the Chair "so ordered."

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

"Thank you, Mr. Speaker. I stand in favor of this Senate Concurrent Resolution. I had the pleasure of writing a letter to the Citizen's Stamp Advisory Committee on October 9, and for the record I'd like to read the letter with your permission.

To the Members of the Citizen's Stamp Advisory Committee,

As a third generation Japanese American *sansei*, I strongly believe that we should honor our greatest generation, the *nisei* of the 100th and 442nd Regimental Combat Team. A United States postal service stamp would be a most fitting tribute to recognize our amazing military achievements.

It was the second generation of Japanese immigrants that fought for their beloved country, the United States of America. They fought for their parents who immigrated to America to find a better

life. They fought for those that were placed in internment camps during World War II. They fought for their children so that they could grow up with dignity. They fought for their own place in society and they fought for the honor of their people.

Please support this bright story in the history of the U.S. Army by issuing a commemorative stamp for the brave men of the 100th and 442nd. Thank you also for my children and my grandchildren, each and every one a proud American. Aloha."

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

"Thank you, Mr. Speaker, I rise in support. Mr. Speaker, not only is this Resolution worthwhile because it gives honor where honor is due, it's also educational and historical that we remember, and not forget the sacrifices that were made. That we never forget.

"On a personal anecdotal level, I know a stamp will remind people, the young people in particular. I remember when I was in Room 442 in this building. It's now occupied by Representative Rida Cabanilla. Every time I would walk in there, I would remember the 442nd by the room number. And by this stamp, people will remember that sacrifice, and I hope someday Mr. Speaker not only the *nisei* as a group, but also the picture and profile of one very, very successful *nisei*, our Dan Inouye will be on one of these stamps. Thank you, Mr. Speaker."

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

"I am in support. This stamp I believe will continue the legacy of these great soldiers. It would mean a lot to my uncle who was in the 522nd, which was attached to the 100th Battalion. It would also mean a lot to many of the friends I became close to at the Clubhouse, Club 100, especially President Arakaki and a lot of the members still alive today. I have additional remarks for the Journal. Thank you."

Representative Karamatsu's written remarks are as follows:

"I am in support. A United States postal stamp honoring the World War II Japanese-American Nisei soldiers would be a great tribute to the sacrifice they went through for the sake of future generations. They faced racism in their own country, but despite this, they valiantly fought to protect it.

"My uncle, Roy Okubo was a member of the 522nd Artillery, which was attached to the 442nd Regimental Combat Team. He is the younger brother of my grandma Bessie S. Karamatsu. I am very proud of his service that helped to better our country and world.

"I am a friend of Senator Nadao Yoshinaga who is a member of the 442nd Regimental Combat Team. After his service in World War II, he became a lawyer and elected official, and helped change discriminatory laws in Hawaii. He routinely visits me and we talk about politics, a passion we both share. It is a dream come true for me to have a mentor who was a politician from the 1954 Hawaii Democratic Revolution and a veteran of World War II. We met in 2002 and have been friends ever since.

"Finally, I have friends in the 100th Infantry Battalion such as Robert Arakaki, its current President. I got to know a number of them by volunteering at their events and hanging out with them during lunchtime at Club 100. When I am with them, I am always inspired to shoot for my dreams and do the best I can do.

"I am so honored to have these heroes in my life. I am who I am because of them. We must do all we can to continue their legacy so that their sacrifice is remembered eternally. Having a United States postage stamp honoring them would be a wonderful tribute. Thank you."

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

"In strong support, Mr. Speaker. Thank you. There have been many reasons stated why this is very important. On a personal note, my grandfather served in the 442nd, and something very interesting is that he was also interned during World War II. He and my grandmother were *nisei* Japanese Americans in the 1940s on the mainland.

"They both went to Gila River, Arizona and my mom was born in that internment camp. Eventually my grandfather was sent to Washington D.C. and he was among very few Japanese who actually discovered the death camps in Germany because of the branch of military that he was in. So I just really appreciate the strong support we've heard so far from all our Members. Thank you."

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

"Thank you, Mr. Speaker. I stand in strong support of this measure. When I used to teach in my district in Maemae Elementary School, we had the pleasure some time ago, this would have been probably ten years ago or more, we had some of the members of the 442nd come. And what we had was a course called, 'Heroes We Honor.'

"And the purpose of the course was to have young people understand that each generation has its challenges, but we have got to step up to those challenges and make the most of it. And sometimes in fact, it's a glorious thing.

"And so I think that the 442nd in particular, and the Go For Broke Foundation which I'm a member of, stands as a symbol of what courage and overcoming adversity can do for not just one generation, but those that come after. And in this time, sometimes we see in our ever-changing modern Hawaii, that maybe things are going so fast, and civility seems to be something we really need to work on, it's this hope that young people can see what those that came before them did and to honor those values. So this is exciting and I'm thankful to those introducers. Thank you."

The motion was put to vote by the Chair and carried, and S.C.R. No. 1, entitled: "URGING THE UNITED STATES POSTAL SERVICE TO ISSUE A POSTAL STAMP HONORING THE WORLD WAR II JAPANESE-AMERICAN NISEI SOLDIERS," was adopted with Representatives Manahan and Takumi being excused.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Chang introduced members of the Hawaii Community College Student Government Association: President Antoinette Wilson; Vice President Rosie Colon; Secretary Ashleigh Kahala-Giron; Treasurer Charlene Mateo-Morales; Senators Melinda Alles and Sui-Lan Ho'okano. They were accompanied by their advisor, Ola Jenkins.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
2215	Committee on Finance

2216 Committee on Judiciary

2217 Committee on Judiciary

2218 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2219 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2220 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2221 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2222 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2223 Committee on Health, then to the Committee on Labor & Public Employment

2224 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2225 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2226 Committee on Human Services & Housing, then to the Committee on Finance

2227 Committee on Labor & Public Employment, then to the Committee on Finance

2228 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2229 Committee on Transportation, then to the Committee on Judiciary

2230 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2231 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2232 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2233 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2234 Committee on Agriculture, then to the Committee on Finance

2235 Committee on Energy & Environmental Protection, then to the Committee on Finance

2236 Committee on Judiciary

2237 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

2238 Committee on Human Services & Housing, then to the Committee on Finance

2239 Committee on Human Services & Housing, then to the Committee on Finance

2240 Committee on Human Services & Housing, then to the Committee on Finance

2241 Committee on Judiciary

2242 Committee on Human Services & Housing, then to the Committee on Economic Development & Business Concerns

2243 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2244 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2245 Committee on Higher Education, then to the Committee on Finance

2246 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

2247 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2248 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2249 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2250 Jointly to the Committee on Transportation and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2251 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2252 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2253 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2254 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2255 Committee on Consumer Protection & Commerce, then to the Committee on Labor & Public Employment

2256 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2257 Committee on Consumer Protection & Commerce

2258 Committee on Consumer Protection & Commerce

2259 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2260 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2261 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2262 Committee on Transportation, then to the Committee on Judiciary

2263 Committee on Transportation, then to the Committee on Energy & Environmental Protection

2264 Committee on Consumer Protection & Commerce

2265 Committee on Transportation, then to the Committee on Judiciary

2266 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2267 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

2268 Committee on Transportation, then to the Committee on Judiciary

2269 Committee on Transportation, then to the Committee on Judiciary

2270 Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2271 Committee on Health, then to the Committee on Finance

2272 Committee on Labor & Public Employment, then to the Committee on Finance

2273 Committee on Human Services & Housing, then to the Committee on Finance

2274 Committee on Education, then to the Committee on Finance

2275 Committee on Education, then to the Committee on Health, then to the Committee on Finance

2276 Committee on Education, then to the Committee on Finance

2277 Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2278 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

2279 Committee on Education, then to the Committee on Finance

2280 Jointly to the Committee on Human Services & Housing and the Committee on Labor & Public Employment, then to the Committee on Legislative Management, then to the Committee on Finance

2281 Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2282 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2283 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2284 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2285 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2286 Committee on Health, then to the Committee on Finance

2287 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

2288 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2289 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2290 Committee on Health, then to the Committee on Finance

2291 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2292 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2293 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2294 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2295 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2296 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

2297 Committee on Labor & Public Employment, then to the Committee on Finance

2298 Committee on Health, then to the Committee on Consumer Protection & Commerce

2299 Committee on Transportation, then to the Committee on Judiciary

2300 Committee on Energy & Environmental Protection, then to the Committee on Finance

2301 Committee on Health, then to the Committee on Consumer Protection & Commerce

2302 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2303 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2304 Committee on Health, then to the Committee on Finance

2305 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Judiciary

2306 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2307 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2308 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2309 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Public Safety & Military Affairs

2310 Committee on Judiciary

2311 Committee on Labor & Public Employment, then to the Committee on Judiciary

2312 Committee on Energy & Environmental Protection, then to the Committee on Finance

2313 Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2314 Committee on Health, then to the Committee on Consumer Protection & Commerce

2315 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2316 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2317 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2318 Committee on Judiciary

2319 Committee on Judiciary

2320 Committee on Judiciary

2321 Committee on International Affairs, then to the Committee on Finance

2322 Committee on Energy & Environmental Protection, then to the Committee on Finance

2323 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2324 Committee on Labor & Public Employment, then to the Committee on Finance

2325 Committee on Agriculture, then to the Committee on Finance

2326 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2327 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2328 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

2329 Committee on Agriculture, then to the Committee on Finance

2330 Committee on Energy & Environmental Protection, then to the Committee on Transportation

2331 Committee on Transportation, then to the Committee on Finance

2332 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2333 Committee on Transportation

2334 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

2335 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2336 Committee on Labor & Public Employment, then to the Committee on Finance

2337 Committee on Human Services & Housing, then to the Committee on Judiciary

2338 Committee on Judiciary

2339 Committee on Judiciary

2340 Committee on Judiciary

2341 Committee on Judiciary

2342 Committee on Judiciary

2343 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2344 Committee on Judiciary

2345 Committee on Health, then to the Committee on Judiciary

2346 Committee on Human Services & Housing, then to the Committee on Judiciary

2347 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2348 Committee on Labor & Public Employment, then to the Committee on Finance

2349 Committee on Health, then to the Committee on Finance

2350 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2351 Committee on Tourism & Culture, then to the Committee on Finance

2352 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2353 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2354 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

2355 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2356 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2357 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2358 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2359 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Legislative Management

2360 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

2361 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2362 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Legislative Management

2363 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2364 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

2365 Committee on Education, then to the Committee on Finance

2366 Committee on Health, then to the Committee on Finance

2367 Committee on Education, then to the Committee on Labor & Public Employment

2368 Committee on Education, then to the Committee on Labor & Public Employment

2369 Committee on Education, then to the Committee on Finance

2370 Committee on Education, then to the Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 2396 through 2484) passed First Reading by title and were referred to Printing: (Representatives Manahan and Takumi were excused.)

H. B. Nos.

2396 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Hanohano, Awana, Carroll, Morita, Waters, Chong, Sagum and Tokioka.

2397 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Hanohano.

2398 "A BILL FOR AN ACT RELATING TO GAMING."

Introduced by: Representative Souki, by request.

2399 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Thielen.

2400 "A BILL FOR AN ACT RELATING TO PHOTOGRAPHY."

Introduced by: Representative Cabanilla, by request.

2401 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC."

Introduced by: Representatives McKelvey, Awana, Belatti, Bertram, Carroll, Chang, Evans, Green, Hanohano, Har, Herkes, Karamatsu, Luke, Manahan, Marumoto, Mizuno, Morita, Saiki, Shimabukuro, Thielen, Tsuji, Wakai, Waters, Yamane, Yamashita, Sagum, Takamine, Takumi and Tokioka.

2402 "A BILL FOR AN ACT RELATING TO REPORTS OF PERSONS WITH A DEMENTING ILLNESS."

Introduced by: Representatives Lee, Hanohano, Manahan, Marumoto, Meyer, Mizuno, Thielen, Carroll, Chang, Ito, Karamatsu, Magaoay, Souki, Tsuji and Ward.

2403 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AUTOMATED EXTERNAL DEFIBRILLATORS AT THE STATE CAPITOL."

Introduced by: Representatives Lee, Cabanilla, Carroll, Chang, Ching, Magaoay, Manahan, Marumoto, Meyer, Thielen and Ward.

2404 "A BILL FOR AN ACT RELATING TO NURSES."

Introduced by: Representatives Lee, Cabanilla, Ching, Hanohano, Manahan, Marumoto, Meyer, Carroll, Chang, Ito, Karamatsu, Magaoay, Mizuno, Souki, Tokioka, Tsuji and Ward.

2405 "A BILL FOR AN ACT RELATING TO MEDICAL MALPRACTICE COURTS."

Introduced by: Representatives Lee, Cabanilla, Ching, Green, Hanohano, Marumoto, Brower, Evans, Ito, Karamatsu, Magaoay, Manahan, Meyer, Mizuno, Souki, Tokioka, Tsuji, Ward, Yamane and Yamashita.

2406 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Representatives Lee, Carroll, Hanohano, Magaoay, Manahan, Marumoto, Mizuno, M. Oshiro, Thielen, Tokioka, Ward, Chang, Evans, Ito, Karamatsu, Souki, Tsuji and Yamane.

2407 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Herkes.

2408 "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS."

Introduced by: Representative Herkes.

2409 "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES."

Introduced by: Representative Herkes, by request.

2410 "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY."

Introduced by: Representatives Green and Mizuno.

2411 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green and Mizuno.

2412 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green and Mizuno.

2413 "A BILL FOR AN ACT RELATING TO INCOME TAXATION."

Introduced by: Representatives Green and Mizuno.

2414 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Green and Mizuno.

2415 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representative Yamashita.

2416 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES."

Introduced by: Representatives Yamashita, Brower, Chang, Chong, Hanohano, Herkes, Manahan, Nakasone, Tsuji, Wakai and Yamane.

2417 "A BILL FOR AN ACT RELATING TO AGRICULTURAL COOPERATIVES."

Introduced by: Representatives Yamashita, Brower, Chang, Chong, Hanohano, Herkes, Manahan, Nakasone, Tsuji, Wakai and Yamane.

2418 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Bertram and Souki.

2419 "A BILL FOR AN ACT RELATING TO HOSPITALS."

Introduced by: Representatives Bertram and Green.

2420 "A BILL FOR AN ACT RELATING TO LITTER CONTROL."

Introduced by: Representatives Bertram and Shimabukuro.

2421 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Bertram, McKelvey, Brower, Luke, Sonson and Souki.

2422 "A BILL FOR AN ACT RELATING TO SERVICES FOR THE DISABLED."

Introduced by: Representatives Mizuno, Magaoay and Brower.

2423 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Mizuno, Awana, Green, Hanohano and Brower.

2424 "A BILL FOR AN ACT RELATING TO EMERGENCY HEALTH SERVICES."

Introduced by: Representatives Mizuno, Belatti, Green and Hanohano.

2425 "A BILL FOR AN ACT RELATING TO SENIOR CENTERS."

Introduced by: Representatives Mizuno, Belatti, Green, Hanohano and Magaoay.

2426 "A BILL FOR AN ACT RELATING TO CANCER TREATMENT."

Introduced by: Representatives Mizuno, Green, Hanohano, Waters and Brower.

2427 "A BILL FOR AN ACT RELATING TO TEMPORARY ASSISTANCE FOR NEEDY FAMILIES."

Introduced by: Representatives Mizuno, Green and Hanohano.

2428 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Nakasone.

2429 "A BILL FOR AN ACT RELATING TO RECREATION."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Herkes, Ito, Mizuno, B. Oshiro, Sonson, Takai, Tsuji, Lee, M. Oshiro, Souki, Takamine and Yamane.

2430 "A BILL FOR AN ACT RELATING TO PARKING FOR DISABLED PERSONS."

Introduced by: Representatives Chang, Bertram, Cabanilla, Evans, Hanohano, Herkes, Ito, Lee, Mizuno, Nishimoto, B. Oshiro, Takai, Tsuji, Souki, Takamine, Takumi, Yamane and Yamashita.

2431 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Ito, Takai, Lee, Mizuno, B. Oshiro, Souki, Takamine, Takumi and Tsuji.

2432 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Representatives Chong, Tsuji, Yamane and Yamashita.

2433 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representatives Berg, Brower, Carroll, Hanohano, Luke, Morita, Nishimoto, Saiki, Wakai and Bertram.

2434 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION."

Introduced by: Representatives Berg, Brower, Luke, Shimabukuro, Bertram, Sagum, Saiki and Takumi.

2435 "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION."

Introduced by: Representatives Berg, Brower, Caldwell, Ching, Hanohano, Lee, Luke, Morita, Nishimoto, Saiki, Shimabukuro, Takumi, Yamane, Bertram, Chong, Sagum and Yamashita.

2436 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representatives Yamane, Evans, McKelvey and Waters.

2437 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representatives Yamane, Karamatsu, Lee, Magaoay and Sonson.

2438 "A BILL FOR AN ACT RELATING TO CIGARETTES."

Introduced by: Representatives Yamane, Evans, McKelvey, Sagum, Tokioka, Tsuji and Yamashita.

2439 "A BILL FOR AN ACT RELATING TO COUNTY FEES."

Introduced by: Representatives Yamane and Yamashita.

2440 "A BILL FOR AN ACT RELATING TO THE TRANSIENT ACCOMMODATIONS TAX."

Introduced by: Representative Yamane, by request.

2441 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representative Takumi.

2442 "A BILL FOR AN ACT RELATING TO PUBLIC PROCUREMENT."

Introduced by: Representatives Takumi, Belatti, Berg, Brower, Chong, Ito, Luke, Magaoay, Nishimoto, Sonson, Takai, Wakai, Yamane, Yamashita, Chang, Finnegan, Herkes, McKelvey, Rhoads, Takamine and Tsuji.

2443 "A BILL FOR AN ACT RELATING TO PHTHALATES."

Introduced by: Representatives Takumi, Belatti, Berg, Brower, Cabanilla, Finnegan, Ito, Luke, McKelvey, Nishimoto, Sonson, Takai, Wakai, Yamane, Chang, Chong, Herkes, Magaoay, Rhoads, Takamine, Tsuji and Yamashita.

2444 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Takumi and Chang.

2445 "A BILL FOR AN ACT RELATING TO ADVERTISING BY MANUFACTURERS OF PRESCRIPTION DRUGS AND DISCLOSURE OF CLINICAL TRIALS."

Introduced by: Representatives Takumi, Green, Thielen and Belatti.

2446 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE ESTABLISHMENT OF A STATEWIDE LANGUAGE ACCESS BANK."

Introduced by: Representatives Mizuno, Chang, Lee and Magaoay.

2447 "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION."

Introduced by: Representatives Mizuno, Green, Luke and Magaoay.

2448 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Shimabukuro and Mizuno.

2449 "A BILL FOR AN ACT PROTECTING CHILDREN FROM CERTAIN TOXIC PRODUCTS."

Introduced by: Representatives Mizuno, Green and Waters.

2450 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Tsuji, Chong, Green, Awana, Belatti, Berg, Chang, Karamatsu, Lee, Magaoay, Manahan, Mizuno, Takamine and Yamashita.

2451 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Awana, Berg, Brower, Caldwell, Carroll, Chang, Ching, Chong, Finnegan, Green, Hanohano, Har, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Meyer, Mizuno, Morita, M. Oshiro, Thielen, Wakai, Waters, Yamane, Yamashita, Belatti, Cabanilla, Evans, Herkes, Ito, Rhoads, Souki, Takamine, Takumi and Ward.

2452 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Awana, Brower, Cabanilla, Caldwell, Chang, Ching, Chong, Evans, Finnegan, Green, Hanohano, Ito, Karamatsu, Magaoay, Manahan, Marumoto, Meyer, Mizuno, Morita, Thielen, Wakai, Ward, Waters, Yamashita, Belatti, Berg, Har, Herkes, Lee, McKelvey, Rhoads, Souki, Takamine, Takumi and Yamane.

2453 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Tsuji, Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Carroll, Chang, Ching, Chong, Evans, Finnegan, Green, Hanohano, Har, Ito, Karamatsu, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, M. Oshiro, Thielen, Wakai, Ward, Waters, Yamane, Yamashita, Herkes, Lee, Rhoads, Souki, Takamine and Takumi.

2454 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Tsuji, Awana, Belatti, Berg, Brower, Caldwell, Carroll, Chang, Ching, Chong, Finnegan, Green, Hanohano, Har, Ito, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Meyer, Mizuno, Morita, Wakai, Waters, Yamane, Yamashita, Cabanilla, Evans, Herkes, Marumoto, M. Oshiro, Rhoads, Souki, Takumi and Ward.

2455 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives B. Oshiro, Caldwell, Luke, Say and Waters.

2456 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives B. Oshiro, Bertram, Caldwell, Luke and Waters.

2457 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ching, Evans, Finnegan, Karamatsu, Marumoto, Meyer, B. Oshiro, Say, Takumi, Yamane, Belatti, Brower, Cabanilla, Herkes, Sagum, Sonson, Souki, Wakai and Ward.

2458 "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS."

Introduced by: Representatives Caldwell and Lee.

2459 "A BILL FOR AN ACT RELATING TO PENSION INCOME."

Introduced by: Representative Caldwell.

2460 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Caldwell, Herkes, B. Oshiro and Say.

2461 "A BILL FOR AN ACT RELATING TO DOCUMENTARY EVIDENCE."

Introduced by: Representatives Caldwell, Green, Herkes and Mizuno.

2462 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representatives Caldwell and Souki.

2463 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Representatives Evans, Carroll and Tsuji.

2464 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representatives Evans, Carroll, Har, Ito, McKelvey, Tsuji and Yamane.

2465 "A BILL FOR AN ACT RELATING TO THE STATE FIRE CODE."

Introduced by: Representatives Evans, Carroll, Har, Ito, McKelvey, Tsuji and Yamane.

2466 "A BILL FOR AN ACT RELATING TO WILDFIRE MANAGEMENT."

Introduced by: Representatives Evans, Carroll, Har, Ito, McKelvey, Tsuji and Yamane.

2467 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representatives Evans, Carroll, Har, Ito, McKelvey, Tsuji and Yamane.

2468 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Shimabukuro.

2469 "A BILL FOR AN ACT RELATING TO LAND."

Introduced by: Representatives Ward, Awana, Brower, Ching, Hanohano, Marumoto, Mizuno, Belatti, Berg, Chong, Evans, Finnegan, Herkes, Ito, Morita, Pine, Rhoads, Sonson, Tsuji, Yamane and Yamashita.

2470 "A BILL FOR AN ACT RELATING TO LAND."

Introduced by: Representatives Ward, Berg, Brower, Ching, Evans, Finnegan, Nishimoto and Shimabukuro.

2471 "A BILL FOR AN ACT RELATING TO LAND."

Introduced by: Representatives Ward, Brower, Marumoto, Belatti, Berg, Evans, Finnegan, Herkes, Ito, Pine, Sonson, Thielen and Tsuji.

2472 "A BILL FOR AN ACT RELATING TO COUNTY FEES."

Introduced by: Representatives Yamashita and Yamane.

2473 "A BILL FOR AN ACT RELATING TO TECHNOLOGY."

Introduced by: Representative Yamashita.

2474 "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING."

Introduced by: Representatives Mizuno, Green, Brower, Luke and Waters.

2475 "A BILL FOR AN ACT RELATING TO ADULT ENTERTAINMENT."

Introduced by: Representatives Mizuno and Green.

2476 "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS."

Introduced by: Representatives Mizuno, Awana, Brower, Caldwell, Green, Luke and Waters.

2477 "A BILL FOR AN ACT RELATING TO OPIHI."

Introduced by: Representatives Mizuno, Carroll, Hanohano, Caldwell, Lee, Magaoay and Say.

2478 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Cabanilla, Mizuno, Belatti, Brower, Evans, Ito, Karamatsu and Tsuji.

2479 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Evans, Ito, Karamatsu, Lee, Manahan, Mizuno, Rhoads and Takamine.

2480 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Sonson, Cabanilla, Karamatsu and Evans.

2481 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Sonson, Karamatsu, Takumi, Belatti, Evans, Tokioka, Yamane and Yamashita.

2482 "A BILL FOR AN ACT RELATING TO TEACHER SALARIES."

Introduced by: Representatives Takai and Takumi.

2483 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takai and Takumi.

2484 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Takai.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 4 through 43) and concurrent resolutions (H.C.R Nos. 3 through 43) were referred to Printing and further action was deferred:

H.R. No. 4, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF TRANSPORTATION TO EXAMINE THE FEASIBILITY OF CONSTRUCTING A SUBMERGED VEHICULAR TUNNEL UNDER PEARL HARBOR CONNECTING THE EWA PLAIN TO DOWNTOWN HONOLULU," was offered by Representative Cabanilla.

H.R. No. 5, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO DESIGNATE THE FACILITY OF THE UNITED STATES POSTAL SERVICE LOCATED AT 330 SARATOGA ROAD IN HONOLULU, HAWAII AS THE DON HO POST OFFICE BUILDING," was offered by Representative Mizuno.

H.R. No. 6, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII TOURISM AUTHORITY, DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO REDIRECT FINANCIAL AND OTHER RESOURCES FROM TOURISM MARKETING TO THE MAINTENANCE AND PRESERVATION OF HAWAII'S BEACHES," was jointly offered by Representatives Mizuno, Awana, Thielen and Belatti.

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H.R. No. 8, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII AT MANOA, JOHN A. BURNS SCHOOL OF MEDICINE, TO SEEK FUNDING FOR A TWO-YEAR PILOT STUDY AT HINA MAUKA TO RESEARCH THE EFFECTS OF NALTREXONE (VIVITROL) ON CRYSTAL METHAMPHETAMINE (ICE) ADDICTION," was jointly offered by Representatives Mizuno, Awana, Marumoto and Meyer.

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ANNOUNCEMENT

Representative Evans: "On behalf of myself and the Representative from Mililani/Waipio/Gentry and the Representative from Lahaina, we would like to announce that we have put together a package of bills on fire prevention and protection. We are launching those bills today and we invite our colleagues to come out to the parlor area outside the Majority Caucus Room after we recess because we will share those with the press. I hope that everyone can support the idea of protecting the public from wildfires and fires. Thank you."

ADJOURNMENT

At 12:30 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, January 22, 2008. (Representatives Manahan and Takumi were excused.)

HOUSE COMMUNICATION

House Communication dated January 18, 2008, from Representative Har, for the Interim Task Force on Smart Growth, established pursuant to H.R. No. 259, 2007, submitting a report, Spec. Task Force Rep. No. 2-08.

FOURTH DAY

Tuesday, January 22, 2007

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2007, convened at 9:07 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Faye P. Hanohano, after which the Roll was called showing all members present with the exception of Representatives Bertram, Cabanilla, Chang, Ching, Har, Meyer, Morita, Sagum, Souki, Wakai, Waters and Yamane, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 214 through 217) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 214, dated January 18, 2008, transmitting the Department of Human Services' Report as required by Section 346-29.5, Hawaii Revised Statutes.

Gov. Msg. No. 215, dated January 22, 2008, transmitting the report, Efforts to Support Emerging Growth Industries.

Gov. Msg. No. 216, dated January 18, 2008, transmitting the Department of Human Services' Report as required by Senate Concurrent Resolution 144, Senate Draft 1, adopted by the 2007 Hawaii State Legislature.

Gov. Msg. No. 217, dated January 17, 2008, transmitting the Department of Taxation's Tax Credits Claimed by Hawaii Taxpayers 2005.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 33 through 35) were received by the Clerk and were placed on file:

Dept. Com. No. 33, from the Office of Hawaiian Affairs, transmitting their 2007 Annual Report.

Dept. Com. No. 34, dated January 14, 2008, from Patricia Hamamoto, Superintendent, Department of Education, transmitting a list identifying Capital Improvements Program projects needed by the Department of Education (DOE) schools.

Dept. Com. No. 35, dated January 10, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on University of Hawai'i Tuition & Fees Special Fund Expenditures.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
2371	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2372	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce
2373	Committee on Tourism & Culture, then to the Committee on Finance
2374	Committee on Tourism & Culture, then to the Committee on Finance
2375	Committee on Tourism & Culture, then to the Committee on Finance
2376	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2377	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
2378	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2379	Committee on Human Services & Housing, then to the Committee on Finance
2380	Committee on Human Services & Housing, then to the Committee on Finance
2381	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2382	Committee on Health, then to the Committee on Finance
2383	Committee on Judiciary, then to the Committee on Finance
2384	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance
2385	Committee on Health, then to the Committee on Judiciary
2386	Committee on Labor & Public Employment, then to the Committee on Finance
2387	Committee on Labor & Public Employment, then to the Committee on Finance
2388	Committee on Labor & Public Employment, then to the Committee on Finance
2389	Committee on Labor & Public Employment, then to the Committee on Finance
2390	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2391	Committee on Judiciary
2392	Committee on Judiciary, then to the Committee on Finance

2393 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

2394 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2395 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2396 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2397 Committee on Finance

2398 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

2399 Committee on Finance

2400 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2401 Committee on Energy & Environmental Protection, then to the Committee on Finance

2402 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

2403 Committee on Health, then to the Committee on Finance

2404 Committee on Health, then to the Committee on Consumer Protection & Commerce

2405 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2406 Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Education, then to the Committee on Finance

2407 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce

2408 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2409 Committee on Consumer Protection & Commerce

2410 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2411 Committee on Health, then to the Committee on Consumer Protection & Commerce

2412 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2413 Committee on Health, then to the Committee on Finance

2414 Committee on Health, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2415 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2416 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

2417 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

2418 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2419 Committee on Health, then to the Committee on Finance

2420 Committee on Energy & Environmental Protection, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2421 Committee on Transportation, then to the Committee on Judiciary

2422 Committee on Health, then to the Committee on Finance

2423 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2424 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

2425 Committee on Human Services & Housing, then to the Committee on Finance

2426 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2427 Committee on Human Services & Housing, then to the Committee on Finance

2428 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2429 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Higher Education and the Committee on Tourism & Culture, then to the Committee on Finance

2430 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

2431 Jointly to the Committee on Higher Education and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2432 Committee on Education, then to the Committee on Finance

2433 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary

2434 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2435 Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

2436 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2437 Committee on Transportation, then to the Committee on Finance

2438 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2439 Committee on Tourism & Culture, then to the Committee on Finance

2440 Committee on Tourism & Culture, then to the Committee on Finance

2441 Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Finance

2442 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2443 Committee on Health, then to the Committee on Consumer Protection & Commerce

2444 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

2445 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2446 Committee on Labor & Public Employment, then to the Committee on Human Services & Housing, then to the Committee on Finance

2447 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2448 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

2449 Committee on Health, then to the Committee on Consumer Protection & Commerce

2450 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2451 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

2452 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

2453 Committee on Agriculture, then to the Committee on Finance

2454 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2455 Committee on Judiciary

2456 Committee on Judiciary, then to the Committee on Finance

2457 Committee on Education, then to the Committee on Finance

2458 Committee on Higher Education, then to the Committee on Finance

2459 Committee on Labor & Public Employment, then to the Committee on Finance

2460 Committee on Consumer Protection & Commerce

2461 Committee on Health, then to the Committee on Consumer Protection & Commerce

2462 Committee on Transportation, then to the Committee on Judiciary

2463 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2464 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2465 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2466 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2467 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2468 Committee on Human Services & Housing, then to the Committee on Finance

2469 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2470 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2471 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2472 Jointly to the Committee on Tourism & Culture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2473 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2474 Committee on Judiciary

2475 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

2476 Committee on Judiciary

2477 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2478 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

2479 Committee on Labor & Public Employment, then to the Committee on Finance

2480 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

2481 Committee on Labor & Public Employment, then to the Committee on Finance

2482 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2483 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

2484 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

2485 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2486 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2487 Committee on Tourism & Culture, then to the Committee on Finance

2488 Committee on Labor & Public Employment, then to the Committee on Higher Education, then to the Committee on Finance

2489 Committee on Tourism & Culture, then to the Committee on Finance

2490 Committee on Health, then to the Committee on Consumer Protection & Commerce

2491 Committee on Transportation, then to the Committee on Finance

2492 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

2493 Committee on Health, then to the Committee on Judiciary

2494 Committee on Education, then to the Committee on Health, then to the Committee on Finance

2495 Committee on Energy & Environmental Protection, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

2496 Committee on Energy & Environmental Protection

2497 Committee on Energy & Environmental Protection

2498 Committee on Health, then to the Committee on Consumer Protection & Commerce

2499 Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2500 Committee on Finance

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the following bills (H.B. Nos. 2485 through 2850) passed First Reading by title and were referred to Printing: (Representatives Cabanilla, Har, Meyer, Morita, Sagum, Souki, Waters and Yamane were excused.)

H. B. Nos.

2485 "A BILL FOR AN ACT RELATING TO FIRES."

Introduced by: Representatives Evans, Carroll, Har, Ito, Magaoay, McKelvey, Tsuji and Yamane.

2486 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Cabanilla, Ching, Green, Marumoto, McKelvey, Thielen, Ward, Awana, Carroll, Meyer and Tsuji.

2487 "A BILL FOR AN ACT RELATING TO THE HAWAII CAPITAL CULTURAL HERITAGE AREA."

Introduced by: Representatives Evans, Awana, Ching, Green, McKelvey, Meyer, Tsuji and Ward.

2488 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Evans, Awana, Carroll, Ching, Green, McKelvey, Bertram, Marumoto, Tsuji and Ward.

2489 "A BILL FOR AN ACT RELATING TO HISTORIC BUILDINGS."

Introduced by: Representatives Evans, Awana, Bertram, Cabanilla, Carroll, Ching, Green, Marumoto, McKelvey, Tsuji, Ward and Meyer.

2490 "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING."

Introduced by: Representative Lee.

2491 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Lee, Cabanilla, Carroll, Ching, Hanohano, Ito, Magaoay, Manahan, Marumoto, Meyer, Mizuno, Yamane, Yamashita, Brower, Evans, Karamatsu, Souki and Tsuji.

2492 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representatives Lee, Cabanilla, Ching, Hanohano, Marumoto, Meyer, Ward, Carroll, Evans, Ito, Karamatsu, Magaoay, Manahan, Mizuno, Souki, Thielen, Tsuji and Yamane.

2493 "A BILL FOR AN ACT RELATING TO LIABILITY."

Introduced by: Representatives Lee, Cabanilla, Carroll, Ching, Evans, Hanohano, Magaoay, Manahan, Marumoto, Meyer, Mizuno, Thielen, Ward, Yamane, Brower, Chang, Ito, Karamatsu, Souki, Tokioka, Tsuji and Yamashita.

2494 "A BILL FOR AN ACT RELATING TO SCHOOL SPORTS CONCUSSIONS."

Introduced by: Representatives Lee, Carroll, Hanohano, Manahan, Marumoto, Meyer, Mizuno, Thielen, Tokioka, Ito, Karamatsu, Magaoay, Souki, Tsuji, Ward, Yamane and Yamashita.

2495 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representatives Morita, Caldwell, Green, Magaoay, Belatti, Ito, Marumoto and Saiki.

2496 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

Introduced by: Representative Morita.

2497 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representative Morita.

2498 "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING."

Introduced by: Representatives Herkes, Bertram, Evans, McKelvey and Brower.

2499 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives McKelvey, Belatti, Bertram, Har, Morita, Nakasone, Sagum, Thielen and Tokioka.

2500 "A BILL FOR AN ACT RELATING TO THE STATE BUDGET."

Introduced by: Representative Say, by request.

2501 "A BILL FOR AN ACT RELATING TO BIOSECURITY."

Introduced by: Representatives Tsuji, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Tokioka, Wakai, Waters, Yamashita, Sagum, Souki, Takamine and Yamane.

2502 "A BILL FOR AN ACT RELATING TO SOLAR ENERGY."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Tokioka, Tsuji, Wakai, Waters, Yamashita, Evans, Har, Sagum, Souki, Takamine and Yamane.

2503 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS."

Introduced by: Representatives Morita, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Sagum, Souki and Takamine.

2504 "A BILL FOR AN ACT RELATING TO LIGHTING."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chong, Evans, Green, Hanohano, Har, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Cabanilla, Chang, Sagum, Souki and Takamine.

2505 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Belatti, Berg, Brower, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Har, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Awana, Bertram, Evans, Sagum and Takamine.

2506 "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES."

Introduced by: Representatives Morita, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Har, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Wakai, Waters, Yamane, Yamashita, Awana, Hanohano, Sagum, Souki, Takamine and Tsuji.

2507 "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION."

Introduced by: Representatives Morita, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Hanohano, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Awana, Evans, Green, Sagum, Souki and Takamine.

2508 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Cabanilla, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Brower, Evans, Karamatsu, Sagum, Takamine and Tokioka.

2509 "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Wakai, Waters, Yamane, Yamashita, Sagum, Souki, Takamine and Tsuji.

2510 "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT."

Introduced by: Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Souki and Takamine.

2511 "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Herkes, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, Rhoads, Say, Sonson, Takai, Takumi, Tsuji, Wakai, Waters, Yamashita, Sagum, Souki and Takamine.

2512 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Bertram, Caldwell, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Karamatsu, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Say, Sonson, Takai, Tsuji, Wakai, Yamane, Yamashita, Brower, Lee, McKelvey, Rhoads, Sagum, Saiki, Souki, Takamine and Waters.

2513 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO THE DWELLING UNIT REVOLVING FUND."

Introduced by: Representatives Shimabukuro, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Har, Herkes, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Sonson, Takai, Tsuji, Wakai, Waters, Yamane, Yamashita, Evans, Sagum, Souki and Takamine.

2514 "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX."

Introduced by: Representatives Shimabukuro, Belatti, Bertram, Caldwell, Carroll, Chang, Chong, Evans, Green, Har, Herkes, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Sonson, Takai, Tsuji, Wakai, Waters, Yamane, Yamashita, Awana, Berg, Brower, Hanohano, Sagum, Souki and Takamine.

2515 "A BILL FOR AN ACT RELATING TO KUKUI GARDENS."

Introduced by: Representatives Rhoads, Belatti, Berg, Brower, Caldwell, Chong, Evans, Green, Hanohano, Har, Herkes, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Tsuji, Wakai, Waters, Yamane, Yamashita, Awana, Bertram, Carroll, Chang, Nakasone, Sagum, Souki, Takamine and Tokioka.

2516 "A BILL FOR AN ACT RELATING TO BIOSECURITY."

Introduced by: Representatives Tsuji, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Takumi, Tokioka, Wakai, Waters, Yamane, Yamashita, Sagum, Souki and Takamine.

2517 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Takai, Takumi, Tokioka, Wakai, Waters, Yamane, Yamashita, Awana, Sagum, Souki and Takamine.

2518 "A BILL FOR AN ACT RELATING TO LAND CONSERVATION."

Introduced by: Representatives Ito, Awana, Bertram, Brower, Cabanilla, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Say, Sonson, Takai, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Berg, Nakasone, Rhoads, Sagum, Souki and Takamine.

2519 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Green, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Takai, Tsuji, Wakai, Waters, Yamane, Yamashita, Sagum, Souki and Takamine.

2520 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Tsuji, Waters, Yamane, Bertram, Brower, Sagum, Souki and Takamine.

2521 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Awana, Brower, Caldwell, Chong, Green, Hanohano, Herkes, Ito, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Takai, Takumi, Tokioka, Tsuji, Waters, Bertram, Carroll, Evans, Har, Karamatsu, McKelvey, Nakasone, Sagum, Souki, Takamine, Yamane and Yamashita.

2522 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representatives Har, Bertram, Cabanilla, Caldwell, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, Nishimoto, Say, Takai, Tokioka, Tsuji, Yamane, Awana, Belatti, Brower, Carroll, Chang, Luke, Nakasone, M. Oshiro, Rhoads, Sagum, Souki, Takamine and Yamashita.

2523 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representatives Har, Awana, Berg, Bertram, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Takai, Tokioka, Tsuji, Wakai, Yamashita, Belatti, Brower, Morita, Nakasone, Sagum and Takamine.

2524 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Har, Awana, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Herkes, Ito, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Takai, Tokioka, Tsuji, Wakai, Waters, Yamashita, Belatti, Berg, Evans, Karamatsu, Nakasone, Sagum and Takamine.

2525 "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representatives Har, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Takai, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Carroll, Souki and Takamine.

2526 "A BILL FOR AN ACT RELATING TO THE STATE PLAN."

Introduced by: Representatives Har, Awana, Belatti, Berg, Bertram, Brower, Caldwell, Chang, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Takai, Tokioka, Wakai, Waters, Yamane, Yamashita, Carroll, Sagum, Souki, Takamine and Tsuji.

2527 "A BILL FOR AN ACT RELATING TO SMART GROWTH."

Introduced by: Representatives Bertram, Awana, Belatti, Berg, Brower, Caldwell, Carroll, Chong, Evans, Green, Hanohano, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Say, Shimabukuro, Sonson, Takai, Tsuji, Waters, Yamane, Yamashita, Chang, Har, Sagum, Souki and Takamine.

2528 "A BILL FOR AN ACT RELATING TO DRIVING AFTER THE CONSUMPTION OF ALCOHOL."

Introduced by: Representatives Mizuno, Brower, Green, Hanohano, Luke and Caldwell.

2529 "A BILL FOR AN ACT RELATING TO FOOD SAFETY."

Introduced by: Representatives Mizuno, Green, Hanohano, Belatti, Brower, Caldwell, Chang, Lee, Magaoay and Waters.

2530 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Mizuno, Awana, Brower, Green, Luke, Waters and Caldwell.

2531 "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN."

Introduced by: Representatives McKelvey, Carroll, Evans, Green, Hanohano, Mizuno, Yamane, Yamashita, Har, Herkes, Manahan and Sagum.

2532 "A BILL FOR AN ACT RELATING TO NON-SCHOOL HOUR PROGRAMS."

Introduced by: Representatives Mizuno and Green.

2533 "A BILL FOR AN ACT RELATING TO VACCINATIONS."

Introduced by: Representatives Mizuno and Green.

2534 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Awana, Bertram, Cabanilla, Carroll, Ching, Green, McKelvey, Meyer and Tsuji.

2535 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION OF HEIAU."

Introduced by: Representatives Evans, Awana, Carroll, McKelvey, Bertram, Ching, Green and Tsuji.

2536 "A BILL FOR AN ACT RELATING TO STATE HERITAGE."

Introduced by: Representatives Ching, Awana, Bertram, Cabanilla, Evans, Green, Tsuji, Meyer and Ward.

2537 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Evans, Bertram, Cabanilla, Ching, Green, Marumoto, Awana, Carroll, Tsuji and Ward.

2538 "A BILL FOR AN ACT RELATING TO VISUALLY IMPAIRED PERSONS."

Introduced by: Representative Evans.

2539 "A BILL FOR AN ACT RELATING TO WORKPLACE TRAINING."

Introduced by: Representative Evans.

2540 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Evans.

2541 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOSPITAL-BASED DENTISTRY SERVICES IN THE COUNTY OF HAWAII."

Introduced by: Representative Evans.

2542 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FAMILY PRACTICE RESIDENCY PROGRAM AT KONA COMMUNITY HOSPITAL."

Introduced by: Representative Evans.

2543 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHOOTING RANGE IN WEST HAWAII ON THE ISLAND OF HAWAII."

Introduced by: Representatives Evans, Herkes and Ito.

2544 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Takamine, Evans, Nishimoto, Sonson and Souki.

2545 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Takamine, Evans, Nishimoto, Sonson and Souki.

2546 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE MAUI OFFICE OF VETERANS' SERVICES."

Introduced by: Representatives McKelvey, Bertram, Ito and Souki.

2547 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY."

Introduced by: Representatives McKelvey, Yamashita, Bertram and Souki.

2548 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Shimabukuro.

2549 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representative Shimabukuro.

2550 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representative Shimabukuro.

2551 "A BILL FOR AN ACT RELATING TO HOMELESSNESS."

Introduced by: Representatives Shimabukuro and Awana.

2552 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Sagum, Awana, Carroll, Chang, Hanohano, Ito, Mizuno, Morita, B. Oshiro, Tokioka and Yamashita.

2553 "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS."

Introduced by: Representatives Sagum, Awana, Carroll, Hanohano, Ito, Mizuno, Morita, B. Oshiro, Tokioka, Chang and Yamashita.

2554 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Sagum, Awana, Carroll, Chang, Hanohano, Ito, Mizuno, Morita, B. Oshiro and Yamashita.

2555 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL."

Introduced by: Representatives Sagum, Chang, Hanohano, Ito, Mizuno, Morita, Yamashita and Carroll.

2556 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Representatives Sagum, Carroll, Chang, Hanohano, Ito, Souki and Yamashita.

2557 "A BILL FOR AN ACT RELATING TO EVIDENCE."

Introduced by: Representatives B. Oshiro, Caldwell, Wakai, Ward and Waters.

2558 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."

Introduced by: Representatives B. Oshiro, Caldwell, Green, Mizuno, Shimabukuro and Waters.

2559 "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT."

Introduced by: Representatives B. Oshiro, Herkes and Waters.

2560 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representatives B. Oshiro, Waters and Souki.

2561 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi, Berg, Chang, Sonson and Cabanilla.

2562 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representative Shimabukuro.

2563 "A BILL FOR AN ACT RELATING TO ANIMAL CRUELTY."

Introduced by: Representative Marumoto.

2564 "A BILL FOR AN ACT RELATING TO THE REVOCATION OF DRIVER'S LICENSES OF MINORS CONVICTED OF PROPERTY CRIMES."

Introduced by: Representatives Marumoto, Awana, Finnegan, Ward, Berg, Evans, Karamatsu and Thielen.

2565 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representatives Marumoto, Awana, Berg, Caldwell, Finnegan, Thielen, Evans and Ward.

2566 "A BILL FOR AN ACT RELATING TO PROFESSIONS."

Introduced by: Representatives Green and Mizuno.

2567 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representatives Green and Mizuno.

2568 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Representatives Green and Mizuno.

2569 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representatives Green and Mizuno.

2570 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."

Introduced by: Representatives Green, Ching and Mizuno.

2571 "A BILL FOR AN ACT RELATING TO STUDENT HEALTH."

Introduced by: Representatives Green, Awana, Berg, Cabanilla, Hanohano, Nishimoto, Takai, Takumi, Wakai and Waters.

2572 "A BILL FOR AN ACT RELATING TO MENTAL HEALTH."

Introduced by: Representatives Green and Mizuno.

2573 "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION."

Introduced by: Representatives Green and Mizuno.

2574 "A BILL FOR AN ACT RELATING TO MOTOR SPORTS COMPLEX."

Introduced by: Representative Har, by request.

2575 "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS."

Introduced by: Representatives Mizuno, Green and Magaoay.

2576 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representatives Mizuno and Green.

2577 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Carroll, Bertram, McKelvey, Shimabukuro, Tsuji, Yamashita, Chang, Magaoay and Souki.

2578 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS."

Introduced by: Representatives Carroll, Bertram, Magaoay, Marumoto, McKelvey, Shimabukuro, Yamashita, Souki and Tsuji.

2579 "A BILL FOR AN ACT RELATING TO CARE HOME REPAIR AND RENOVATION LOAN GUARANTEE."

Introduced by: Representatives Carroll, Bertram, Chang, Magaoay, Marumoto, McKelvey, Shimabukuro, Tsuji, Souki and Yamashita.

2580 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS."

Introduced by: Representatives Carroll, Bertram, Magaoay, Marumoto, McKelvey, Shimabukuro, Yamashita, Souki and Tsuji.

2581 "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES."

Introduced by: Representatives Carroll, Bertram, Chang, Magaoay, Marumoto, McKelvey, Shimabukuro, Tsuji, Yamashita and Souki.

2582 "A BILL FOR AN ACT RELATING TO THE PUBLIC PROCUREMENT CODE."

Introduced by: Representative Chang, by request.

2583 "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS."

Introduced by: Representatives Chang, Carroll, Green, Hanohano, Har, Karamatsu, Magaoay, Mizuno, Nishimoto, Takai, Tokioka, Tsuji, Waters, Berg, Evans, McKelvey, Sagum, Shimabukuro, Sonson and Takamine.

2584 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Bertram, Herkes, Karamatsu, Magaoay, Mizuno, Nishimoto, Shimabukuro, Tsuji, Yamashita and Takamine.

2585 "A BILL FOR AN ACT RELATING TO GRADUATE LOAN PROGRAMS."

Introduced by: Representatives Chang, Evans, Hanohano, Ito, Nishimoto, B. Oshiro, Shimabukuro, Herkes, Lee, Takamine and Takumi.

2586 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SYSTEM."

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

2587 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES."

Introduced by: Representatives Yamane, Finnegan, Marumoto, Tsuji and Yamashita.

2588 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Yamane, Chong, Ito, Lee, M. Oshiro, Tsuji and Yamashita.

2589 "A BILL FOR AN ACT RELATING TO SCRAP METAL."

Introduced by: Representatives Yamane, Har, Manahan, Yamashita, Tokioka and Tsuji.

2590 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Yamane, Lee, Shimabukuro, Caldwell, Carroll and Takamine.

2591 "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES."

Introduced by: Representatives Magaoay, Herkes, Ito, Sonson and Tsuji.

2592 "A BILL FOR AN ACT RELATING TO MAIL SOLICITATION."

Introduced by: Representatives Magaoay, Herkes, Ito, Sonson, Tsuji, Wakai, Souki and Yamashita.

2593 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION."

Introduced by: Representatives Tsuji, Chong, Hanohano, Ito, Yamane, Yamashita and Brower.

2594 "A BILL FOR AN ACT RELATING TO IRRIGATION."

Introduced by: Representatives Tsuji, Brower, Chong, Hanohano, Ito, Yamane and Yamashita.

2595 "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT."

Introduced by: Representatives Chong, Lee, B. Oshiro, M. Oshiro, Say, Tsuji, Yamane, Yamashita and Nakasone.

2596 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Chong and Waters.

2597 "A BILL FOR AN ACT RELATING TO SCHOOLS."

Introduced by: Representatives Chong, Belatti, Brower, Carroll, Har, Karamatsu, Magaoay, Mizuno, Rhoads, Tsuji, Yamane, Yamashita, Lee, M. Oshiro and Sagum.

2598 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representatives Chong, Har, Ito, Karamatsu, Lee, Rhoads, Say, Tsuji, Yamane, Yamashita, Carroll, M. Oshiro and Shimabukuro.

2599 "A BILL FOR AN ACT RELATING TO A NEW STADIUM AT KAPOLEI."

Introduced by: Representative Caldwell.

2600 "A BILL FOR AN ACT RELATING TO PUBLIC ACCOUNTANCY."

Introduced by: Representatives Caldwell, M. Oshiro, Herkes and McKelvey.

2601 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives Caldwell and Waters.

2602 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representatives Caldwell and Waters.

2603 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION FOR STEVENSON MIDDLE SCHOOL."

Introduced by: Representatives Caldwell and Belatti.

2604 "A BILL FOR AN ACT RELATING TO THE HAWAII GEOLOGICAL SURVEY."

Introduced by: Representatives Evans, Awana, Luke, Thielen, Ito and Karamatsu.

2605 "A BILL FOR AN ACT RELATING TO THE ARMED SERVICES."

Introduced by: Representatives Evans and Har.

2606 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Evans, Green, McKelvey, Awana, Ching and Takamine.

2607 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Evans, Cabanilla, Ching, Green, McKelvey, Awana, Bertram, Carroll, Takamine and Ward.

2608 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Representative Evans.

2609 "A BILL FOR AN ACT RELATING TO CONSERVATION."

Introduced by: Representatives Evans, Har, McKelvey and Yamane.

2610 "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD."

Introduced by: Representatives Evans and Har.

2611 "A BILL FOR AN ACT RELATING TO IOLANI PALACE."

Introduced by: Representatives Ito and Karamatsu.

2612 "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST."

Introduced by: Representative Ito.

2613 "A BILL FOR AN ACT RELATING TO BIOPROSPECTING."

Introduced by: Representative Ito.

2614 "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY."

Introduced by: Representatives Har, Chong, Mizuno, B. Oshiro, Tsuji, Yamane, Yamashita and Karamatsu.

2615 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Har, Chong, Mizuno, B. Oshiro, Tsuji, Yamane and Yamashita.

2616 "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE."

Introduced by: Representatives Har, Chong, Mizuno, B. Oshiro and Tsuji.

2617 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Har, Mizuno, Chong, Karamatsu, B. Oshiro, Tsuji and Yamashita.

2618 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representatives Takai and Souki.

2619 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ward, Bertram, Brower, Cabanilla, Finnegan, Marumoto, Meyer, Pine, Sonson, Thielen, Awana, Evans, Ito, Magaoay, McKelvey, Nishimoto and Sagum.

2620 "A BILL FOR AN ACT RELATING TO CAREGIVERS."

Introduced by: Representatives Ward, Bertram, Cabanilla, Ching, Evans, Finnegan, Green, Marumoto, McKelvey, Meyer, Nishimoto, Pine, Sonson, Thielen, Awana, Belatti, Brower, Herkes, Ito, Magaoay, B. Oshiro and Sagum.

2621 "A BILL FOR AN ACT RELATING TO THE EMPLOYEE RETIREMENT SYSTEM."

Introduced by: Representatives Ward, Cabanilla, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Thielen, Awana, Belatti, Brower, Evans, Herkes, Ito, Magaoay, Nishimoto, B. Oshiro, Sagum, Sonson and Tsuji.

2622 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Ward, Awana, Belatti, Bertram, Brower, Cabanilla, Ching, Finnegan, Herkes, Marumoto, McKelvey, Nishimoto, Shimabukuro, Thielen, Evans, and B. Oshiro.

2623 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Ward, Awana, Bertram, Cabanilla, Ching, Finnegan, Marumoto, McKelvey, Meyer, Thielen, Brower, Evans, Nishimoto, and B. Oshiro.

2624 "A BILL FOR AN ACT RELATING TO INTERNATIONAL LEARNING MISSIONS."

Introduced by: Representatives Ward, Brower, Ching, Finnegan, Green, Marumoto, Awana, Bertram, Evans, Nishimoto, and B. Oshiro.

2625 "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF APRIL 19 AS "HAWAIIAN MONK SEAL DAY"."

Introduced by: Representatives Pine, Awana, Brower, Cabanilla, Evans, Finnegan, Green, Hanohano, Herkes, Karamatsu, Lee, Magaoay, Marumoto, Meyer, Nishimoto, Sonson, Thielen, Wakai, Belatti, Bertram, Carroll, Ching, Chong, Har, Mizuno, Saiki, Shimabukuro, Souki, Takumi, Ward and Yamashita.

2626 "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF THE HAWAIIAN MONK SEAL AS THE STATE MAMMAL OF HAWAI`I."

Introduced by: Representatives Pine, Awana, Brower, Evans, Finnegan, Green, Hanohano, Herkes, Lee, Magaoay, Marumoto, Nishimoto, Takai, Thielen, Wakai, Belatti, Bertram, Cabanilla, Carroll, Ching, Chong, Har, Karamatsu, Meyer, Mizuno, Saiki, Sonson, Souki, Takumi, Ward and Yamashita.

2627 "A BILL FOR AN ACT RELATING TO THE REPEAL OF TAXES ON FOOD."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2628 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2629 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2630 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2631 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2632 "A BILL FOR AN ACT RELATING TO THE REPAIR AND MAINTENANCE OF STATE FACILITIES."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2633 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2634 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2635 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2636 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY OPPORTUNITY ZONES."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2637 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2638 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2639 "A BILL FOR AN ACT RELATING TO VEHICLE IGNITION INTERLOCK SYSTEMS."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2640 "A BILL FOR AN ACT RELATING TO SAFETY."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2641 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2642 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2643 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2644 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Meyer, Pine, Thielen and Ward.

2645 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

2646 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2647 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representatives Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

2648 "A BILL FOR AN ACT RELATING TO STANDARDS OF CONDUCT."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2649 "A BILL FOR AN ACT RELATING TO GRANTS-IN-AID."

Introduced by: Representatives Finnegan, Marumoto, Meyer, Pine, Thielen and Ward.

2650 "A BILL FOR AN ACT RELATING TO INCREASING THE RENEWABLE PORTFOLIO STANDARD."

Introduced by: Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

2651 "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCE."

Introduced by: Representatives Belatti, Green, Lee, McKelvey, Morita, Wakai, Waters, Awana, Brower, Evans, Luke, Magaoay, Souki and Takamine.

2652 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Belatti, Green, Lee, Luke, Magaoay, Morita, Wakai, Yamane, Awana, Evans, McKelvey, Souki, Takamine and Waters.

2653 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Belatti, Luke, Nishimoto, Takai, Takumi and Brower.

2654 "A BILL FOR AN ACT RELATING TO EARNED INCOME TAX CREDIT."

Introduced by: Representatives Belatti, Brower, Luke, Nishimoto, Takai and Takumi.

2655 "A BILL FOR AN ACT RELATING TO SOLID WASTE DISPOSITION."

Introduced by: Representative Say.

2656 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Representative Say, by request.

2657 "A BILL FOR AN ACT RELATING TO TENANT SCREENING AGENCIES."

Introduced by: Representative Say, by request.

2658 "A BILL FOR AN ACT RELATING TO YOUTH PROGRAMS."

Introduced by: Representative Say.

2659 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Representative Say, by request.

2660 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ATHLETICS IN PUBLIC SCHOOLS."

Introduced by: Representative Say.

2661 "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES."

Introduced by: Representative Say.

2662 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representatives Say and Magaoay.

2663 "A BILL FOR AN ACT RELATING TO EMERGENCIES."

Introduced by: Representative Say.

2664 "A BILL FOR AN ACT RELATING TO DISASTER RELIEF."

Introduced by: Representative Say.

2665 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Say, by request.

2666 "A BILL FOR AN ACT RELATING TO AN AFFORDABLE RENTAL HOUSING DONATION TAX CREDIT."

Introduced by: Representative Say.

2667 "A BILL FOR AN ACT RELATING TO HAWAIIAN HOME LANDS."

Introduced by: Representative Say.

2668 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

2669 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say.

2670 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say.

2671 "A BILL FOR AN ACT RELATING TO A KAKAAKO MAKAI PARKING STRUCTURE."

Introduced by: Representative Say.

2672 "A BILL FOR AN ACT RELATING TO PARKING."

Introduced by: Representative Say.

2673 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Say, by request.

2674 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Say, by request.

2675 "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA."

Introduced by: Representative Say, by request.

2676 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representative Say, by request.

2677 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representative Say, by request.

2678 "A BILL FOR AN ACT RELATING TO MARIJUANA."

Introduced by: Representative Say, by request.

2679 "A BILL FOR AN ACT RELATING TO A STATE LOTTERY."

Introduced by: Representative Say, by request.

2680 "A BILL FOR AN ACT RELATING TO FOOD."

Introduced by: Representative Say, by request.

2681 "A BILL FOR AN ACT RELATING TO SPORTS UTILITY VEHICLES."

Introduced by: Representative Say, by request.

2682 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Say, by request.

2683 "A BILL FOR AN ACT RELATING TO IMMUNIZATIONS."

Introduced by: Representative Say, by request.

2684 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative M. Oshiro.

2685 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative M. Oshiro.

2686 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE."

Introduced by: Representative M. Oshiro.

2687 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Representative M. Oshiro.

2688 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN."

Introduced by: Representative M. Oshiro.

2689 "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS."

Introduced by: Representative Say, by request.

2690 "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005."

Introduced by: Representative Say, by request.

2691 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE."

Introduced by: Representative Say, by request.

2692 "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE."

Introduced by: Representative Say, by request.

2693 "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION."

Introduced by: Representative Say, by request.

2694 "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION."

Introduced by: Representative Say, by request.

2695 "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION."

Introduced by: Representative Say, by request.

2696 "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER."

Introduced by: Representative Say, by request.

2697 "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT."

Introduced by: Representative Say, by request.

2698 "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT."

Introduced by: Representative Say, by request.

2699 "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE."

Introduced by: Representative Say, by request.

2700 "A BILL FOR AN ACT RELATING TO THE JUDICIARY."

Introduced by: Representative Say, by request.

2701 "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS SETTLEMENT."

Introduced by: Representative Say, by request.

2702 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

2703 "A BILL FOR AN ACT RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS."

Introduced by: Representative Say, by request.

2704 "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY."

Introduced by: Representative Say, by request.

2705 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE IMMERSION PROGRAM."

Introduced by: Representative Say, by request.

2706 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SYSTEM."

Introduced by: Representative Say, by request.

2707 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."

Introduced by: Representative Say, by request.

2708 "A BILL FOR AN ACT RELATING TO CHILD PROTECTION."

Introduced by: Representative Say, by request.

2709 "A BILL FOR AN ACT RELATING TO BIODIVERSITY."

Introduced by: Representative Say, by request.

2710 "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES."

Introduced by: Representative Say, by request.

2711 "A BILL FOR AN ACT RELATING TO INTEGRATED SOLID WASTE MANAGEMENT."

Introduced by: Representative Say, by request.

2712 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU."

Introduced by: Representative Say, by request.

2713 "A BILL FOR AN ACT RELATING TO CHAPTER 853, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

2714 "A BILL FOR AN ACT RELATING TO ARSON."

Introduced by: Representative Say, by request.

2715 "A BILL FOR AN ACT RELATING TO FIRE PROTECTION."

Introduced by: Representative Say, by request.

2716 "A BILL FOR AN ACT RELATING TO CONSUMER FIREWORKS."

Introduced by: Representative Say, by request.

2717 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

2718 "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL."

Introduced by: Representative Say, by request.

2719 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

2720 "A BILL FOR AN ACT RELATING TO A FIRE SPRINKLER TAX DEDUCTION."

Introduced by: Representative Say, by request.

2721 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Say, by request.

2722 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Say, by request.

2723 "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS."

Introduced by: Representative Say, by request.

2724 "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS."

Introduced by: Representative Say, by request.

2725 "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING."

Introduced by: Representative Say, by request.

2726 "A BILL FOR AN ACT RELATING TO CAMPAIGN FINANCING."

Introduced by: Representative Say, by request.

2727 "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE."

Introduced by: Representative Waters.

2728 "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE."

Introduced by: Representative Waters.

2729 "A BILL FOR AN ACT RELATING TO BURGLARY."

Introduced by: Representatives Waters, Chang, Herkes, Tsuji and Takamine.

2730 "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS."

Introduced by: Representatives Waters, and B. Oshiro.

2731 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANIHUIA ELDERLY HOUSING PROJECT."

Introduced by: Representative Rhoads.

2732 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Rhoads, Brower, Magaoay and Say.

2733 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Rhoads.

2734 "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA."

Introduced by: Representative Rhoads.

2735 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Rhoads.

2736 "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS."

Introduced by: Representatives Yamashita, Caldwell, Chong, Herkes, McKelvey, Say, Tokioka, Wakai and Nakasone.

2737 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representatives Yamashita, Brower, Carroll, Chong, Ito, Nakasone, Tsuji and Souki.

2738 "A BILL FOR AN ACT RELATING TO IRRIGATION."

Introduced by: Representatives Yamashita, Har, Ito, Tsuji, Yamane, Brower and Karamatsu.

2739 "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES."

Introduced by: Representatives Yamashita, Brower, Caldwell, Hanohano, Har, Herkes, Ito, Magaoay, McKelvey, Say, Tokioka, Tsuji, Wakai, Waters, Yamane, Carroll, Chong, Karamatsu, Nakasone, M. Oshiro and Souki.

2740 "A BILL FOR AN ACT RELATING TO THE COUNTY OF MAUI."

Introduced by: Representatives Yamashita, Brower, Carroll, Chong, Ito, Nakasone and Souki.

2741 "A BILL FOR AN ACT RELATING TO THE RIGHT OF CONSCIENCE."

Introduced by: Representatives Meyer, Finnegan, Ward and Brower.

2742 "A BILL FOR AN ACT RELATING TO LEGISLATIVE HEARINGS."

Introduced by: Representatives Meyer, Finnegan, Marumoto, Ward, Belatti, Bertram and McKelvey.

2743 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representatives Meyer, Brower, Marumoto, Belatti, Bertram, Finnegan, McKelvey and Ward.

2744 "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES."

Introduced by: Representatives Karamatsu, Awana, Cabanilla, Green, Hanohano, Har, Sonson, Bertram, Brower, McKelvey, Nishimoto, Sagum and Ward.

2745 "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES."

Introduced by: Representatives Karamatsu, Awana, Bertram, Caldwell, Hanohano, Har, Ito, Mizuno, Sonson, Brower, Carroll, Chong, McKelvey, Nishimoto, Sagum, Souki and Tokioka.

2746 "A BILL FOR AN ACT RELATING TO HYDROGEN FUEL."

Introduced by: Representatives Karamatsu, Magaoay and Mizuno.

2747 "A BILL FOR AN ACT RELATING TO DEFAMATION."

Introduced by: Representatives Karamatsu, Evans, Magaoay and Yamashita.

2748 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE EAST KAUAI IRRIGATION SYSTEM."

Introduced by: Representatives Karamatsu, Awana, Brower, Chong, Lee, McKelvey, Sagum and Tsuji.

2749 "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION."

Introduced by: Representatives Karamatsu, Evans, Magaoay, Meyer and Yamashita.

2750 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII FOR PEACE EDUCATION."

Introduced by: Representatives Karamatsu, Berg, Magaoay, Mizuno, Nishimoto and Wakai.

2751 "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET."

Introduced by: Representatives Karamatsu, Awana, Brower, Chong, Lee, McKelvey and Tsuji.

2752 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Sonson, Nakasone and Tsuji.

2753 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS."

Introduced by: Representatives Sonson, Ito, Yamane, Yamashita, Evans, Magaoay, Marumoto, McKelvey, Mizuno, Souki and Takamine.

2754 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Sonson, Tsuji, Ito and Yamashita.

2755 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representatives Sonson, Evans, Ito, Magaoay, McKelvey, Mizuno, Souki, Takamine, Tsuji, Yamane and Yamashita.

2756 "A BILL FOR AN ACT RELATING TO THE HOSPITAL LOAN GUARANTEE PROGRAM."

Introduced by: Representatives Cabanilla, Green, Karamatsu, Magaoay, Mizuno, Sonson, Brower and Caldwell.

2757 "A BILL FOR AN ACT RELATING TO HOSPITALS."

Introduced by: Representatives Cabanilla, Green, Karamatsu, Magaoay, Mizuno, Sonson, Brower and Caldwell.

2758 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Cabanilla, Green, Karamatsu, Mizuno, Sonson, Brower, Caldwell and Magaoay.

2759 "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX."

Introduced by: Representatives Cabanilla, Green, Karamatsu, Mizuno, Sonson, Brower, Caldwell and Magaoay.

2760 "A BILL FOR AN ACT RELATING TO THE OAHU METROPOLITAN PLANNING ORGANIZATION."

Introduced by: Representatives Cabanilla, Green, Sonson, Brower and Mizuno.

2761 "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH."

Introduced by: Representatives Morita, Carroll, Ching, Evans, Hanohano, Lee, Luke, Mizuno, Pine, Shimabukuro, Thielen, Yamane, Awana, Belatti, Brower, Har, Marumoto and Rhoads.

2762 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representatives Lee, Belatti, Berg, Carroll, Ching, Evans, Hanohano, Luke, Marumoto, Meyer, Mizuno, Morita, Pine, Shimabukuro, Thielen, Awana, Brower, Har, Rhoads and Yamane.

2763 "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE."

Introduced by: Representatives Evans, Brower, Cabanilla, Carroll, Hanohano, Lee, Luke, Marumoto, Meyer, Mizuno, Pine, Shimabukuro, Thielen, Yamane, Awana, Belatti, Berg, Har, Morita and Rhoads.

2764 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Lee, Belatti, Berg, Brower, Cabanilla, Carroll, Evans, Hanohano, Luke, Mizuno, Morita, Shimabukuro, Yamane, Awana, Har, Marumoto and Rhoads.

2765 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Ching, Hanohano, Luke, Meyer, Morita, Pine, Rhoads, Shimabukuro and Yamane.

2766 "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING."

Introduced by: Representatives Lee, Awana, Berg, Brower, Cabanilla, Carroll, Ching, Evans, Hanohano, Luke, Marumoto, Meyer, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen, Yamane and Har.

2767 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Ching, Evans, Hanohano, Luke, Marumoto, Meyer, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen, Yamane and Har.

2768 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Evans, Belatti, Berg, Brower, Cabanilla, Hanohano, Lee, Luke, Marumoto, Mizuno, Morita, Pine, Shimabukuro, Thielen, Yamane, Awana, Carroll and Har.

2769 "A BILL FOR AN ACT RELATING TO MEAT."

Introduced by: Representatives Thielen, Brower, Hanohano, Lee, Marumoto, Meyer, Pine, Shimabukuro, Yamane, Awana, Berg, Carroll, Ching, Luke, Mizuno and Morita.

2770 "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Carroll, Ching, Evans, Har, Luke, Marumoto, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen, Yamane, Hanohano and Meyer.

2771 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Lee, Awana, Belatti, Berg, Ching, Hanohano, Luke, Marumoto, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen, Carroll, Evans, Har, Meyer and Yamane.

2772 "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING."

Introduced by: Representatives Lee and Brower.

2773 "A BILL FOR AN ACT RELATING TO DNA COLLECTION."

Introduced by: Representatives Marumoto, Awana, Cabanilla, Carroll, Ching, Evans, Hanohano, Lee, Meyer, Mizuno, Pine, Shimabukuro, Thielen, Yamane, Berg, Brower and Rhoads.

2774 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representative Lee.

2775 "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING."

Introduced by: Representative Lee.

2776 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Lee.

2777 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Yamashita, Brower, Caldwell, Carroll, Chang, Hanohano, Har, Herkes, Ito, Karamatsu, Magaoay, Say, Tokioka, Tsuji, Wakai, Waters, McKelvey, Nakasone, Souki and Yamane.

2778 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Yamashita, Awana, Brower, Caldwell, Carroll, Chang, Chong, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nakasone, M. Oshiro, Say, Tokioka, Tsuji, Wakai, Waters, Yamane, Belatti, Evans, Sagum, Souki and Takamine.

2779 "A BILL FOR AN ACT RELATING TO GRAY WATER."

Introduced by: Representatives Yamashita, Awana, Brower, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Magaoay, McKelvey, Mizuno, Morita, Nakasone, M. Oshiro, Say, Tokioka, Tsuji, Wakai, Waters, Yamane and Souki.

2780 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWELFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Yamashita.

2781 "A BILL FOR AN ACT RELATING TO SMALL BUSINESS."

Introduced by: Representatives Yamashita, Brower, Caldwell, Chong, Hanohano, Har, Herkes, Ito, Karamatsu, Magaoay, McKelvey, M. Oshiro, Say, Tokioka, Tsuji, Wakai, Waters, Yamane, Carroll, Chang, Nakasone and Souki.

2782 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Cabanilla, Pine, Brower and Green.

2783 "A BILL FOR AN ACT RELATING TO COUNTY SURCHARGE ON STATE TAX."

Introduced by: Representatives Cabanilla, Pine, Sonson and Brower.

2784 "A BILL FOR AN ACT RELATING TO SHOPPING CARTS."

Introduced by: Representatives Cabanilla, Brower, Evans, Green and Mizuno.

2785 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO CONTROL OR ERADICATE THE NETTLE CATERPILLAR (DARNA PALLIVITTA MOTH) ON THE ISLAND OF MAUI."

Introduced by: Representative Carroll.

2786 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Carroll.

2787 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Carroll.

2788 "A BILL FOR AN ACT RELATING TO ZONING."

Introduced by: Representative Carroll.

2789 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR AMBULANCE SERVICE FOR THE COUNTY OF MAUI."

Introduced by: Representative Carroll.

2790 "A BILL FOR AN ACT RELATING TO ADULT CORRECTIONS OFFICERS AND YOUTH CORRECTIONS OFFICERS."

Introduced by: Representative Takumi.

2791 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representatives Takumi and Takai.

2792 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

2793 "A BILL FOR AN ACT RELATING TO LEGAL SERVICES."

Introduced by: Representative Takumi.

2794 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS."

Introduced by: Representatives Takumi and Berg.

2795 "A BILL FOR AN ACT RELATING TO MEDICAID."

Introduced by: Representative Green.

2796 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Green.

2797 "A BILL FOR AN ACT RELATING TO THE KALOKO HOUSING PROGRAM."

Introduced by: Representative Green.

2798 "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER RATES."

Introduced by: Representative Green.

2799 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representative Green.

2800 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE CONSTRUCTION OF A WILDLIFE VIEWING SITE AT KIPUKA 21 ON THE ISLAND OF HAWAII."

Introduced by: Representative Green.

2801 "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES."

Introduced by: Representative Green.

2802 "A BILL FOR AN ACT RELATING TO EMERGENCY TRAFFIC ACCESS TO WAIANAE COAST."

Introduced by: Representative Takai, by request.

2803 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representative Takai, by request.

2804 "A BILL FOR AN ACT RELATING TO KEWALO BASIN."

Introduced by: Representatives Brower, Ito, Lee, Mizuno, M. Oshiro, Tsuji, Belatti, Caldwell, Carroll, Chong, Rhoads, Shimabukuro and Waters.

2805 "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX."

Introduced by: Representatives Brower, Lee, Mizuno, Waters, Belatti, Caldwell, Ito, Rhoads, Shimabukuro and Tsuji.

2806 "A BILL FOR AN ACT RELATING TO THE OFFICE OF THE AUDITOR."

Introduced by: Representatives Brower, Caldwell, Chong, Mizuno, M. Oshiro, Rhoads, Tsuji, Waters and Belatti.

2807 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Tsuji, Brower, Herkes, Karamatsu, Mizuno, Sonson, Takai, Yamashita, Awana, Chong, Har and Nakasone.

2808 "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representatives Tsuji, Awana, Brower, Har, Herkes, Karamatsu, Mizuno, Sonson, Takai, Yamashita, Chong and Nakasone.

2809 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Herkes, Mizuno, Takai, Awana and Chong.

2810 "A BILL FOR AN ACT RELATING TO WATER RATES."

Introduced by: Representatives Tsuji, Awana, Brower, Chong, Herkes, Mizuno and Takai.

2811 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Caldwell, M. Oshiro and Chong.

2812 "A BILL FOR AN ACT RELATING TO UTILITIES."

Introduced by: Representative Caldwell.

2813 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY."

Introduced by: Representatives Awana, Green, Marumoto, Mizuno, Takai, Tsuji, Brower and Rhoads.

2814 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Awana.

2815 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Awana, Brower and Tsuji.

2816 "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE."

Introduced by: Representatives Awana, Green, Mizuno, Brower, Marumoto, Rhoads, Takai and Tsuji.

2817 "A BILL FOR AN ACT RELATING TO MUSIC ENTERTAINMENT LEARNING EXPERIENCE PROGRAM."

Introduced by: Representative Karamatsu.

2818 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Karamatsu.

2819 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Karamatsu.

2820 "A BILL FOR AN ACT RELATING TO WATER FOR IMPORTANT AGRICULTURAL LANDS."

Introduced by: Representative Karamatsu.

2821 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Karamatsu.

2822 "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION TAX CREDIT."

Introduced by: Representative Karamatsu.

2823 "A BILL FOR AN ACT RELATING TO DAM SAFETY."

Introduced by: Representative Karamatsu.

2824 "A BILL FOR AN ACT RELATING TO SENTENCING."

Introduced by: Representative Karamatsu.

2825 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU."

Introduced by: Representative Karamatsu.

2826 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representatives Chong and B. Oshiro.

2827 "A BILL FOR AN ACT RELATING TO THE EMPLOYER-UNION HEALTH BENEFITS TRUST FUND."

Introduced by: Representatives Chong and B. Oshiro.

2828 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPER SUCKER."

Introduced by: Representatives Chong and Tsuji.

2829 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Chong, B. Oshiro and Tsuji.

2830 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Chong and Tsuji.

2831 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911 SERVICE."

Introduced by: Representatives Takai and Saiki.

2832 "A BILL FOR AN ACT RELATING TO ARMED SERVICES."

Introduced by: Representative Takai.

2833 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Herkes.

2834 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Herkes.

2835 "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY."

Introduced by: Representative Herkes.

2836 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS."

Introduced by: Representative Herkes.

2837 "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES."

Introduced by: Representative Herkes.

2838 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representatives Mizuno, Awana, Bertram, Ching, Green, Hanohano, Marumoto, McKelvey, Nishimoto, B. Oshiro, Rhoads, Thielen, Tsuji, Chang, Chong, Magaoay and Morita.

2839 "A BILL FOR AN ACT RELATING TO TAX EXEMPTIONS."

Introduced by: Representatives Mizuno, Awana, Bertram, Ching, Hanohano, Marumoto, McKelvey, Nishimoto, B. Oshiro, Thielen, Tsuji, Chong, Luke and Rhoads.

2840 "A BILL FOR AN ACT RELATING TO HAWAII GREEN SEAL PROGRAM."

Introduced by: Representatives Mizuno, Green, Chong and Tsuji.

2841 "A BILL FOR AN ACT RELATING TO GRAFFITI."

Introduced by: Representatives Mizuno, Chong and Tsuji.

2842 "A BILL FOR AN ACT RELATING TO APPROPRIATIONS."

Introduced by: Representatives Mizuno, Green, Hanohano, Caldwell, Chong, Luke and Tsuji.

2843 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Tsuji, Awana, Brower, Chong, Green, Karamatsu, Takai and Rhoads.

2844 "A BILL FOR AN ACT RELATING TO MASS TRANSIT."

Introduced by: Representative Rhoads.

2845 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representative Rhoads.

2846 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY TAX CREDITS."

Introduced by: Representative Waters.

2847 "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS."

Introduced by: Representative Waters.

2848 "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES."

Introduced by: Representative Waters.

2849 "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT."

Introduced by: Representative Waters.

2850 "A BILL FOR AN ACT RELATING TO THE REHIRING OF RETIREES."

Introduced by: Representative Waters.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 44 through 50) and concurrent resolutions (H.C.R. Nos. 44 through 51) were referred to Printing and further action was deferred:

H.R. No. 44, entitled: "HOUSE RESOLUTION PROCLAIMING THE MONTH OF JUNE 2008 AS FILIPINO VETERANS APPRECIATION MONTH," was jointly offered by Representatives Mizuno, Magaoay and Green.

H.R. No. 45, entitled: "HOUSE RESOLUTION DESIGNATING MAY 5 THROUGH MAY 9, 2008, AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was jointly offered by Representatives Mizuno, Awana, Lee, Magaoay and Marumoto.

H.R. No. 46, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR ALL FORMS OF CANCER TREATMENT," was jointly offered by Representatives Mizuno, Green and Magaoay.

H.R. No. 47, entitled: "HOUSE RESOLUTION URGING THE RE-CONVENING OF THE AFFORDABLE HOUSING TASK FORCE TO FURTHER ADDRESS ISSUES OF HOMELESSNESS, PUBLIC HOUSING, AND AFFORDABLE HOUSING," was jointly offered by Representatives Pine, Ching, Finnegan, Marumoto, Meyer, Thielen and Ward.

H.R. No. 48, entitled: "HOUSE RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.R. No. 49, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was offered by Representative Say, by request.

H.R. No. 50, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was jointly offered by Representatives Marumoto, Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Hanohano, Luke, Meyer, Morita, Pine, Rhoads, Shimabukuro, Thielen and Yamane.

H.C.R. No. 44, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING THE MONTH OF JUNE 2008 AS FILIPINO VETERANS APPRECIATION MONTH," was jointly offered by Representatives Mizuno, Magaoay and Green.

H.C.R. No. 45, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING MAY 5 THROUGH MAY 9, 2008, AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," was jointly offered by Representatives Mizuno, Awana, Lee, Magaoay and Marumoto.

H.C.R. No. 46, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR ALL FORMS OF CANCER TREATMENT," was jointly offered by Representatives Mizuno, Green and Magaoay.

H.C.R. No. 47, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE RE-CONVENING OF THE AFFORDABLE HOUSING TASK FORCE TO FURTHER ADDRESS ISSUES OF HOMELESSNESS, PUBLIC HOUSING, AND AFFORDABLE HOUSING," was jointly offered by Representatives Pine, Ching, Finnegan, Marumoto, Meyer, Thielen and Ward.

H.C.R. No. 48, entitled: "HOUSE CONCURRENT RESOLUTION URGING A COMPREHENSIVE MANAGEMENT REVIEW OF THE DEPARTMENT OF EDUCATION'S OPERATIONS," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.C.R. No. 49, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was offered by Representative Say, by request.

H.C.R. No. 50, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A STUDY TO DETERMINE WHETHER MODEL PHOTOGRAPHERS SHOULD BE LICENSED BY THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS," was offered by Representative Cabanilla, by request.

H.C.R. No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was jointly offered by Representatives Marumoto, Awana, Belatti, Berg, Brower, Cabanilla, Carroll, Evans, Hanohano, Har, Lee, Luke, Meyer, Mizuno, Morita, Pine, Rhoads, Shimabukuro, Thielen and Yamane.

At 9:12 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 2, met in Joint Session with the Senate, to receive the Governor's State of the State Address.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature was called to order at 10:00 o'clock a.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker then welcomed and recognized the following honored guests:

Lt. Governor James R. Aiona, Jr., who was presented a lei by Representative Marilyn B. Lee, and Mrs. Vivian Aiona, who was presented a lei by Senator David Y. Ige;

Chief Justice Ronald T.Y. Moon, who was presented a lei by Senator Donna Mercado Kim;

Trustee Haunani Apoliona, Chair, Office of Hawaiian Affairs, who was presented a lei by Representative Tommy Waters;

Lieutenant General John M. Brown, III, Commanding General, U.S. Army Pacific;

Major General Stephen Tom, US Pacific Fleet Command;

Major General Richard Perraut, Vice Commander, US Pacific Air Forces;

Associate Supreme Court Justice Paula Nakayama, Hawaii State Supreme Court;

Associate Justice Simeon Acoba, Jr., Hawaii State Supreme Court;

Associate Justice Steven H. Levinson, Hawaii State Supreme Court;

Associate Justice James E. Duffy, Jr., Hawaii State Supreme Court;

Mayor Harry Kim, County of Hawaii;

Mayor Bryan J. Baptiste, County of Kauai;

Mayor Charmaine Tavares, County of Maui;

Council Chair Barbara Marshall, City and County of Honolulu;

Council Chair Bill "Kaipo" Asing, County of Kauai;

Council Chair Riki Hokama, County of Maui;

Counsel General David Binns, Dean, Consular Corps of Hawaii; and

Honorary Counsel Gaylord Tom, Vice Dean, Consular Corps of Hawaii.

The Speaker then asked Representatives Chong, Caldwell and Finnegan, and Senators Kim, Hooser and Hemmings to escort the Honorable Linda Lingle to the rostrum.

The Governor was presented with leis by Representative M. Oshiro on behalf of the House of Representatives, and Senator Ihara on behalf of the Senate. The Speaker then presented to the Members of the Twenty-Fourth Legislature and the audience, the Honorable Linda Lingle, Governor of the State of Hawaii.

The Governor then addressed the Joint Session as follows:

"Good morning fellow residents of Hawai'i, our *'ohana*, *kama'āina* and *malihini*, *keiki* and *kūpuna*, civilian and military, Speaker Say, President Hanabusa, other elected officials, and distinguished guests. *Aloha kākou*. It is with a humble and grateful heart that I come before you this morning for my sixth State of the State Address.

"My annual report to the people of Hawai'i on the state of our beloved State is one of my most cherished privileges as Governor. It gives me the opportunity to share some of the sense of where we've been, and to focus on where I believe we should be headed, and how we will get there.

"Before I discuss these ideas with you, I want you to know how grateful I am for the trust you have placed in me. As issues arise each day, I am reminded of the very large responsibility that goes along with my job, and I am humbled by it.

"Since my re-election in late 2006, people have continued to ask me and journalists have written about, which office I will run for next. And there have been columns written about whether I might follow the pattern of those Governors who tend to slow down in their second term. My cabinet directors, Lieutenant Governor Aiona and I are not the kind of people who slow down in any endeavor, and we promise you that we will work hard every day for the next three years. In fact, we all share a renewed sense of vigor and commitment as we look to a future full of great promise and potential.

"Ladies and gentlemen, today is the first day of the rest of my Administration. We are devoting ourselves to cementing a clear direction for our State: a direction that encourages personal responsibility, transforms the economy, focuses on energy independence, preserves our cultural and natural resources, and enhances our overall quality of life. My fellow citizens, I have no other ambition than achieving these goals.

"Recent reductions in the projected rate of growth of tax revenues present us with an opportunity to renew our sense of *'ohana* and to take greater personal responsibility for Hawai'i's future. Personal responsibility means more than just being responsible for decisions that affect us as individuals. Personal responsibility means that we get involved to help others in need and to create a better Hawai'i. We get involved in our places of worship, our schools and our community. We don't just leave things to someone else. We all share a belief that our family, our *'ohana*, numbers many more than just those living in our home.

"Recently, I had the opportunity to spend several hours with a group of women living at a transitional housing facility that helps women on parole, and some who are still incarcerated, to successfully re-enter our community. These women are part of our *'ohana*. Despite the sexual abuse many of them have suffered, the years of drug addiction and homelessness, or the number of times they have been arrested, these women have now taken personal responsibility for their own lives. They are an inspiration to me as they struggle to build new lives after years of degradation, disappointment and bad personal choices. They are working valiantly to move past guilt and shame and fear of failure. And, as a part of their program, they are now taking responsibility for others by performing volunteer community service.

"I'd like to introduce you to TJ Mahoney's remarkable director, Ms. Lorraine Robinson, and six of the women from the facility: Fay Medeiros, Masina Fauolo, Ipo Kock-Wah, Gina Ishida, Jackie Bissen and Lynick Ayau. Please stand and be recognized.

"Personal responsibility for the average citizen could mean getting involved enough to report abuse or neglect of a child in your neighborhood. And it means government agencies admitting mistakes and working to fix the system. It means parents teaching their children right from wrong, and showing aloha for our precious land and sea by not abandoning cars along the roads or boats on our reefs. Personal responsibility means driving with aloha, watching out for pedestrians and not letting friends drive drunk. Personal responsibility also means preparing our homes for emergencies, and eating and exercising in ways to maximize our own good health.

"Hawai'i's people historically have shown a remarkable willingness to take responsibility not only for themselves, but for the well-being of others. And yet there are still so many of our larger *'ohana* who are struggling – those with mental illness, serious physical disabilities, *kūpuna* on fixed incomes, victims of abuse, and those trying to overcome a drug or alcohol addiction. Although I join you in wishing that government could help everyone needing help, and fix every problem we face as a community, that just isn't possible. Like you, I believe that government and its taxpayers have the capacity to do great good, but that capacity is not unlimited. So, we must be judicious and prudent in our spending, and we must make decisions that guarantee a sound financial future. Because only a fiscally sound government will be able to maintain an adequate level of needed services over the long-term.

"Less than two weeks ago the Council on Revenues adjusted downward by $59 million the amount of general fund tax revenue available through Fiscal Year 2009. This is in addition to their earlier reductions in May and August of last year. So although the economy

remains fairly strong, the bottom line is that since May of last year when the Legislature adopted the biennium budget, tax revenue estimates have declined by $353 million.

"Government will never be able to solve all of society's problems. It is only our shared sense of *'ohana*, and the willingness to take personal responsibility for ourselves and others, that will see us through any challenging time, whether the challenge is fiscal, social or a natural disaster. Our State's overall success ultimately rests in the collective hands of our people, not in government acting alone. I am happy with that balance, and confident of its result.

"Elected officials also need to take personal responsibility, not only for our State's long-term fiscal health, but for our economic health as well. This means using our finite financial resources to maintain and expand existing infrastructure. I commend legislators on your support for repair and maintenance of our schools, improvements to the highway system in rapidly growing parts of the State, as well as the modernization plans for our airports and harbors. We have some tough decisions to make together in the weeks and months ahead, and I look forward to collaborating with you on reaching the best decisions. The public expects and deserves nothing less from us. Those decisions include making strategic determinations about which direction we will lead the State in this exciting 21st Century.

"During the past 12 months, I have shared with you a clear vision for the fundamental transformation of our economy away from an economy based too narrowly on land development, to one based on the infinite talent and intellectual capacity of *Hawai'i pono'ī*, Hawai'i's own people. It is as certain as night follows day that we cannot speculate or sell ourselves into prosperity. Instead, we have to be willing to invest in those education and workforce programs that will prepare people to succeed in an increasingly competitive world.

"It will be an immense challenge to re-orient an economy long based on land, to one that has as its cornerstone the preservation of our cultural and natural resources. But, it is a challenge we can and must meet! We can do it by combining the native Hawaiian cultural values of *aloha 'āina* and respect for the ocean, with a skilled, well-educated population that believes innovation in all things is the path to success.

"I want to thank all of those in the community who have embraced this new vision of Hawai'i's future. And I want to thank those legislators who have supported this economic transformation by supporting some of our ideas, even though the support was not at the level we requested, and that we need, if we hope to succeed. If the future were to be the same as the past, then our usual practices and pace of action could serve us adequately. But the world's future and Hawai'i's future will be different than our past, so we no longer have the luxury of these past practices and slow, incremental change. We need to make giant strides that bring about significant progress.

"I am convinced that Hawai'i's recent strong economy has allowed us to postpone making difficult, but important decisions, and has perpetuated education and workforce structures that do not fit well in the 21st Century. Experts say that we currently face a period of change as great as when human society went through the Industrial Revolution. In this prediction I believe the experts are probably right. To go from where we are, to where we want to be, may seem daunting, but this is a road we must travel, even if it is a rough ride at times. The only way to reach our preferred future is to stay on this new road.

"The progress we have made in the past 12 months is exciting and encouraging: We have launched a statewide program to increase the global education of Hawai'i's teachers, students and residents. I am pleased to have with us today as my special guest, Madam Wu Chi-Di, Vice Minister of the Chinese Ministry of Education, with whom we hope to have more educational exchanges. We have begun to establish academies in middle and high schools that focus on science, technology, engineering and math. We stress STEM education because it helps equip our graduates with the analytical thinking, problem-solving and teamwork skills necessary for any high-quality job of the 21st Century.

"We have initiated the MELE program at Honolulu Community College to further build the artistic and commercial success of the Hawaiian music industry. I want to thank the Community College System for its leadership on these important initiatives.

"And we partnered with NASA, which will sponsor the *FIRST* Robotics Challenge at the Stan Sheriff Center in March, where 25 Hawai'i public and private schools will join 13 mainland teams in what is called the "Super Bowl of Smarts." In total, today there are 95 schools statewide that are involved with a hands-on robotics program. I would like to take a moment to recognize some of the students and their advisors who will be among those competing in the Regional *FIRST* Robotics Challenge in March. These young people and their adult mentors are an inspiration to me in the fearless way they are embracing their future. Their enthusiasm makes me optimistic about our State's future.

"The father of Hawai'i robotics, Art Kimura, and his wife, Rene, are here today along with students and their teachers from Waiākea and Hilo High Schools on the Big Island; Waimea High School on Kaua'i; Baldwin High School on Maui; and Nānākuli, Maryknoll, Punahou, McKinley, St. Louis, Farrington, Moanalua, Kapolei, Waipahu, Hawai'i Baptist Academy, Campbell, 'Iolani, Waialua, Sacred Hearts Academy and Kamehameha High Schools on O'ahu. Please stand and be recognized.

"Our efforts to promote innovation were recognized last year by the National Governors Association when we were chosen as one of six states to receive a grant funded by the Bill and Melinda Gates Foundation and Intel Corporation. While I am somewhat satisfied with our progress, I know there is still so much more we need to do in order to secure a brighter tomorrow for future generations.

"We are proposing to start Creative Academies, modeled after the successful STEM Academies, to nurture and support the many talents of Hawai'i's *keiki*. These academies would focus on animation, digital media, game development and writing and publishing in elementary through high school.

"And we are asking the Legislature to pass tax deductions of up to $20,000 a year for parents or other family members saving for a child's college education. We propose the creation of a Commission on Higher Education made up of the presidents of Hawai'i's major universities, members of the community, and business leaders. This Commission will give us the opportunity to embrace new ideas and new ways of using federal and State education dollars.

"And again this year we propose that the State Retirement Fund allocate $100 million to invest in the creative ideas and talents of Hawai'i's companies and people. You have my pledge that for as long as I am Governor, I will pursue these and other actions that will lead to the transformation of our economy and a higher standard of living. It is the most profound legacy all of us can leave from our time in public office.

"Another goal I will pursue with great intensity during the next three years is energy independence and security. This is as important as anything else we do for the next three years. Today, Hawai'i is the most oil-dependent state in America, this has to change! It means moving away from our current over-dependence on oil in favor of renewable energy and that we do it more rapidly than some would like and others believe possible. We have accomplished much together since launching our Energy for Tomorrow program in 2006, which was our first real collective attempt to change the energy paradigm.

"I really appreciated the community and industry support for that package, and the Legislature's support was unanimous and bipartisan. There were four legislators in particular who shared my passion for

change, and really helped us make the sharp turn from near total oil dependency to a way forward for energy security. I would like to thank Senators English and Hemmings and Representatives Thielen and Morita for their ongoing encouragement and enthusiasm. To further speed our progress toward energy security and a clean energy future, the Department of Business, Economic Development and Tourism is being reorganized to re-establish an Energy Division.

"Every week my departments are visited by developers of renewable energy projects – from wind to solar, from wave and ocean thermal to biofuel, from algae to even energy from space. We need to take action now to make it easier for these kinds of projects to start up and to succeed in Hawai'i. We will continue to lead by example, both in the kinds of buildings we construct and by encouraging intra-governmental purchases of power so that federal, State and county governments can use our own assets to start producing some of our own energy, and, where appropriate, allow governments to purchase power directly from new, non-utility suppliers.

"Less than two weeks ago, our Airports Division announced an historic plan to develop large solar power arrays at 12 government sites across the State. This project has the potential to reduce Hawai'i's need to import 130,000 barrels of oil per year, and to generate enough power to supply about 9,000 homes per year. This is one of the largest State government solar initiatives in the nation. This and other of our efforts are receiving national attention and support.

"I am pleased today to let you know that next week, the State of Hawai'i and the U.S. Department of Energy will enter into an unprecedented and innovative partnership called the Hawai'i Clean Energy Initiative. This partnership is based on the vision that Hawai'i must accelerate its transformation to a clean energy future by tapping into the latest national and global advancements, and that our abundant natural sources of energy position us to be a model for the world to show what can be accomplished by developing indigenous renewable energy. This partnership will bring both technical assistance and project funding to Hawai'i, and we will be the only state with this type of partnership with the U.S. Department of Energy.

"The subject of partnerships brings me to the final subject I would like to talk with you about today. Earlier, I said that we can't speculate or sell ourselves into prosperity, but I do believe we have an opportunity to purchase a piece of our future. I am proposing that we buy the 850-acre Turtle Bay property on O'ahu's North Shore. I believe this is a once-in-a-generation chance to preserve both a lifestyle for thousands of residents, and a part of Hawai'i that millions the world over have come to love and identify as the real Hawai'i.

"The purchase of this important property will create an opportunity for the community to shape a vision for this part of the North Shore. The refurbished Turtle Bay Hotel and condominiums currently provide needed jobs in the community. Its restaurants provide a welcome place for local families and visitors to enjoy a Sunday brunch or special family meal, and the golf courses host internationally recognized tournaments. We appreciate these contributions to our State, and want them to continue to be successful. But how the balance of these lands can work in harmony with what exists is something that we should decide together as a community.

"I have been inspired by what community leaders and residents on the North Shore have achieved through their efforts to preserve other lands for the public. I have invited some of these community leaders to be with us today. I would like you to meet Larry McElheny, founder and member of the Board of Directors of the North Shore Community Land Trust; Denise Antolini, Director of the Environmental Law Program at the UH Richardson School of Law; and Lea Hong, Hawai'i Director of the Trust for Public Lands. Larry, Denise and Lea, please stand and be recognized for your efforts to protect important lands for future generations.

"I expect there will be more than a few people, including some legislators, who will question my proposal to acquire these lands at the same time we face so many other needs, and at a time of moderating revenue growth. This is a reasonable question to ask, but Larry, Lea, Denise, and thousands of others concerned about what kind of Hawai'i future generations will enjoy, stand ready to help us.

"Our previous successes of preserving Waimea Valley and Pūpūkea-Paumalū and our ability to save Kukui Gardens affordable housing inspires me to believe that the Legislature and I can work with the community to make this happen. I propose that the Legislature, my Administration, and community leaders form a working group to explore options and develop an action plan to make sure that this property stays in public hands.

"I have thought very hard about what I am proposing, and I believe in my heart that this is the right thing to do for those of us living today, and for those who will be born in the decades ahead. And I believe this will be a defining moment for all of us – a moment that communicates to young people that we care more about their future than about our present. So, rather than viewing this proposal as something that will be very difficult or even impossible to achieve, I ask that you view it as the right thing for us to do, and that if we work together we will find a way to make it happen.

"I have thought about at least a dozen ways we could mix and match revenue streams to finance such a purchase. These include, selling off the resort portion of the property to pay down the remaining debt, exchanging other State lands, creatively using tax credits spread out over time, a tax check-off on our income tax returns, private grants, allocating Legacy Land Funds, federal conservation dollars, and a worldwide Internet fundraising campaign to "Save Hawai'i's North Shore."

"I know that there are many other ideas, but the point is that I believe this is both doable and essential to protect our way of life. The North Shore is an important escape valve for O'ahu's increasingly urbanized lifestyle. It is a place we take visitors when we want them to experience the "real" Hawai'i. It is a place that gives us comfort just by being there, even if we don't go there very often. And it is a community of residents who have chosen the North Shore because it provides a slower, more rural way of living. It would be naive for anyone to think this land acquisition will be easy. The land ownership structure is complex and the debt owed is sizeable. Nevertheless, I am committed to these lands remaining in public hands.

"The residents on the North Shore call it "keeping the country, country." I call it fulfilling commitments to future generations, and I ask everyone listening today to join with us in this effort.

"Before I finish this morning, I want to thank the people of Hawai'i once again for the trust you have placed in me, for making me part of your *'ohana*, and for inspiring me to take on the great challenges of our day. And finally, I want you to know that I truly love my job. I love being the Governor of Hawai'i, your Governor. It's the best job in the world. The more opportunities I have had to travel to different states and countries, the more obvious it has become to me that the people of Hawai'i are unique in all the world, and that there is no place on earth like these islands.

"Oftentimes, it is music, more than words alone that can best express our true feelings. I would like to end my State of the State Address this year in an unconventional way, but in a way I hope touches your heart. I invite you to listen closely to the words and to feel the music of Kaukahi, who so beautifully captures the essence of how we all feel about our home – Hawai'i.

"Kaukahi is the winner of the 2007 Na Hoku Hanohano Awards for Group of the Year, Song of the Year and Graphic Art for album design. The members of Kaukahi are, Barret Awai on upright base, Dean Wilhelm on guitar and Kawika Kahiapo on electric base. I

know that you will enjoy Kaukahi as they perform for you now their Na Hoku Hanohano award-winning song of the year, "Life in These Islands." Ladies and Gentlemen let us all share the words and the music of Kaukahi."

At this time, the members of the House, their guests and audience were entertained by the musical group, Kaukahi.

President Hanabusa then rose and stated:

"Governor Lingle, on behalf of Speaker Say, myself, members of the Senate and House, we thank you for sharing the State of the State. Most importantly we thank you for sharing it with the people of the State of Hawaii.

"I have a message from Speaker Say and that is to you Representative Magaoay, and on behalf of the Senate, Senators Hee and Bunda. The Speaker says, 'Did you get the message? Are you ready?'

"In these really difficult times, and we are facing a difficult economic time for the State, that is going to test all of us – and not only the Governor, the Speaker, myself and members of our respective houses. The Speaker and I are very confident that if anything our Members are going to meet the challenge. And with that Governor, we promise you that your ideas and statements made today will have a full hearing and we are certain that at the end of this Legislative Session that we will do what is in the best interest of the people of the State of Hawaii.

"With that, Governor Lingle, distinguished guests, members of the Senate and the House, I declare this Joint Session adjourned."

At 10:49 o'clock a.m., President Hanabusa declared the Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Wednesday, January 23, 2008.

FIFTH DAY

Wednesday, January 23, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all members present with the exception of Representative Takumi, who was excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 218) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 218, dated January 9, 2008, transmitting copies of H.B. No. 500, Act 213, Inmates Mental Health Services at OCCC and WCCC.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 36) was received by the Clerk and was placed on file:

Dept. Com. No 36, dated January 22, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Management Audit of the Department of Education's Hawaiian Studies Program.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
2501	Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
2502	Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture
2503	Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture
2504	Committee on Energy & Environmental Protection, then to the Committee on Finance
2505	Committee on Energy & Environmental Protection, then to the Committee on Finance
2506	Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance
2507	Committee on Energy & Environmental Protection, then to the Committee on Finance
2508	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2509	Committee on Energy & Environmental Protection, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2510	Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance
2511	Committee on Human Services & Housing, then to the Committee on Finance
2512	Committee on Human Services & Housing, then to the Committee on Finance
2513	Committee on Human Services & Housing, then to the Committee on Finance
2514	Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2515	Committee on Human Services & Housing, then to the Committee on Finance
2516	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2517	Committee on Agriculture, then to the Committee on Energy & Environmental Protection
2518	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2519	Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance
2520	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2521	Committee on Higher Education, then to the Committee on Finance
2522	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture
2523	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
2524	Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
2525	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
2526	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
2527	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2528 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2529 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

2530 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2531 Committee on Transportation, then to the Committee on Finance

2532 Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

2533 Committee on Health, then to the Committee on Education, then to the Committee on Finance

2534 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2535 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2536 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2537 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance

2538 Committee on Transportation, then to the Committee on Health, then to the Committee on Judiciary

2539 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2540 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2541 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2542 Committee on Health, then to the Committee on Finance

2543 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2544 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2545 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2546 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2547 Committee on Education, then to the Committee on Finance

2548 Committee on Human Services & Housing, then to the Committee on Finance

2549 Committee on Education, then to the Committee on Finance

2550 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2551 Committee on Human Services & Housing, then to the Committee on Finance

2552 Committee on Energy & Environmental Protection, then to the Committee on Finance

2553 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2554 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2555 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2556 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Education, then to the Committee on Finance

2557 Committee on Judiciary

2558 Committee on Human Services & Housing, then to the Committee on Judiciary

2559 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2560 Committee on Transportation, then to the Committee on Judiciary

2561 Committee on Education, then to the Committee on Finance

2562 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2563 Committee on Judiciary

2564 Committee on Transportation, then to the Committee on Judiciary

2565 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2566 Committee on Health, then to the Committee on Consumer Protection & Commerce

2567 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

2568 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2569 Committee on Health, then to the Committee on Finance

2570 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2571 Committee on Health, then to the Committee on Education

2572 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2573 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2574 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2575 Committee on Labor & Public Employment, then to the Committee on Human Services & Housing, then to the Committee on Finance

2576 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2577 Committee on Transportation, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

2578 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2579 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2580 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2581 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Transportation

2582 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2583 Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Judiciary

2584 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2585 Committee on Higher Education, then jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2586 Committee on Higher Education, then to the Committee on Finance

2587 Committee on Tourism & Culture, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

2588 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

2589 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2590 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2591 Committee on Consumer Protection & Commerce

2592 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2593 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2594 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2595 Committee on Energy & Environmental Protection, then to the Committee on Finance

2596 Committee on Human Services & Housing, then to the Committee on Judiciary

2597 Committee on Education, then to the Committee on Finance

2598 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2599 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

2600 Committee on Consumer Protection & Commerce

2601 Committee on Judiciary, then to the Committee on Finance

2602 Committee on Judiciary

2603 Committee on Education, then to the Committee on Finance

2604 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

2605 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

2606 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

2607 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

2608 Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance

2609 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2610 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2611 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2612 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2613 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2614 Committee on Education, then to the Committee on Finance

2615 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

2616 Committee on Transportation, then to the Committee on Judiciary

2617 Committee on Transportation, then to the Committee on Energy & Environmental Protection

2618 Committee on Transportation, then to the Committee on Judiciary

2619 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2620 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2621 Committee on Labor & Public Employment, then to the Committee on International Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2622 Committee on Energy & Environmental Protection, then to the Committee on Human Services & Housing, then to the Committee on Finance

2623 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2624 Committee on International Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2625 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture

2626 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture

2627 Committee on Human Services & Housing, then to the Committee on Finance

2628 Committee on Finance

2629 Committee on Human Services & Housing, then to the Committee on Finance

2630 Committee on Human Services & Housing, then to the Committee on Finance

2631 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2632 Committee on Finance

2633 Committee on Energy & Environmental Protection, then to the Committee on Finance

2634 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2635 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2636 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2637 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2638 Committee on Transportation, then to the Committee on Judiciary

2639 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2640 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

2641 Committee on Education, then to the Committee on Finance

2642 Committee on Education, then to the Committee on Finance

2643 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2644 Committee on Education, then to the Committee on Finance

2645 Committee on Education, then to the Committee on Finance

2646 Committee on Education, then to the Committee on Judiciary

2647 Committee on Judiciary

2648 Committee on Judiciary

2649 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2650 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2651 Committee on Judiciary, then to the Committee on Finance

2652 Committee on Judiciary, then to the Committee on Finance

2653 Committee on Finance

2654 Committee on Finance

2655 Committee on Energy & Environmental Protection

2656 Committee on Judiciary

2657 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2658 Committee on Human Services & Housing, then to the Committee on Finance

2659 Committee on Judiciary

2660 Committee on Education, then to the Committee on Finance

2661 Committee on Energy & Environmental Protection, then to the Committee on Finance

2662 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

2663 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2664 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2665 Committee on Human Services & Housing, then to the Committee on Finance

2666 Committee on Human Services & Housing, then to the Committee on Finance

2667 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

2668 Committee on Human Services & Housing, then to the Committee on Finance

2669 Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2670 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture and the Committee on Energy & Environmental Protection

2671 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2672 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

2673 Committee on Labor & Public Employment, then to the Committee on Health, then to the Committee on Judiciary

2674 Committee on Health, then to the Committee on Judiciary

2675 Committee on Health, then jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary

2676 Committee on Judiciary

2677 Committee on Judiciary

2678 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2679 Committee on Judiciary, then to the Committee on Education, then to the Committee on Finance

2680 Committee on Health, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce

2681 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

2682 Committee on Education, then to the Committee on Health, then to the Committee on Judiciary

2683 Committee on Education, then to the Committee on Health, then to the Committee on Judiciary

2684 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2685 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2686 Committee on Judiciary, then to the Committee on Finance

2687 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2688 Committee on Finance

2689 Committee on Judiciary

2690 Committee on Judiciary

2691 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2692 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2693 Committee on Judiciary, then to the Committee on Finance

2694 Committee on Judiciary, then to the Committee on Finance

2695 Committee on Judiciary, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2696 Committee on Judiciary, then to the Committee on Finance

2697 Committee on Judiciary

2698 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2699 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2700 Committee on Judiciary, then to the Committee on Finance

2701 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Finance

2702 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Judiciary

2703 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2704 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2705 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Finance

2706 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

2707 Committee on Human Services & Housing, then to the Committee on Judiciary

2708 Committee on Human Services & Housing, then to the Committee on Judiciary

2709 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2710 Committee on Labor & Public Employment, then to the Committee on Finance

2711 Committee on Energy & Environmental Protection, then to the Committee on Finance

2712 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2713 Committee on Judiciary

2714 Committee on Judiciary

2715 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2716 Committee on Tourism & Culture, then to the Committee on Judiciary

2717 Committee on Tourism & Culture, then to the Committee on Judiciary

2718 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

2719 Committee on Tourism & Culture, then to the Committee on Judiciary

2720 Committee on Human Services & Housing, then to the Committee on Finance

2721 Committee on Tourism & Culture, then to the Committee on Judiciary

2722 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2723 Committee on Judiciary

2724 Committee on Judiciary

2725 Committee on Judiciary

2726 Committee on Judiciary

2727 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2728 Committee on Judiciary

2729 Committee on Judiciary

2730 Committee on Judiciary

2731 Committee on Human Services & Housing, then to the Committee on Finance

2732 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing

2733 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2734 Committee on Tourism & Culture, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2735 Committee on Human Services & Housing, then to the Committee on Finance

2736 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2737 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2738 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2739 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

2740 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2741 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2742 Committee on Legislative Management, then to the Committee on Finance

2743 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2744 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2745 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2746 Committee on Energy & Environmental Protection, then to the Committee on Finance

2747 Committee on Judiciary

2748 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2749 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2750 Committee on Higher Education, then to the Committee on Finance

2751 Committee on Legislative Management, then to the Committee on Finance

2752 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2753 Committee on Labor & Public Employment, then to the Committee on Finance

2754 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance

2755 Committee on Labor & Public Employment, then to the Committee on Finance

2756 Committee on Health, then to the Committee on Finance

2757 Committee on Health, then to the Committee on Finance

2758 Committee on Health, then to the Committee on Finance

2759 Committee on Health, then to the Committee on Finance

2760 Committee on Transportation

2761 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2762 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2763 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing, then to the Committee on Finance

2764 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing, then to the Committee on Judiciary

2765 Jointly to the Committee on Human Services & Housing and the Committee on Labor & Public Employment, then to the Committee on Judiciary

2766 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2767 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2768 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2769 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2770 Committee on Human Services & Housing, then to the Committee on Finance

2771 Committee on Human Services & Housing, then to the Committee on Finance

2772 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2773 Committee on Judiciary, then to the Committee on Finance

2774 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2775 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2776 Committee on Health, then to the Committee on Judiciary

2777 Committee on Agriculture, then to the Committee on Finance

2778 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2779 Committee on Energy & Environmental Protection, then to the Committee on Finance

2780 Committee on Finance

2781 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2782 Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Finance

2783 Committee on Transportation, then to the Committee on Finance

2784 Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2785 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2786 Committee on Education, then to the Committee on Finance

2787 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2788 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2789 Committee on Health, then to the Committee on Finance

2790 Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2791 Committee on Tourism & Culture, then to the Committee on Judiciary

2792 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2793 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2794 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2795 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2796 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2797 Committee on Human Services & Housing, then to the Committee on Finance

2798 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2799 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2800 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2801 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2802 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2803 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2804 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2805 Committee on Finance

2806 Committee on Legislative Management, then to the Committee on Finance

2807 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2808 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2809 Committee on Agriculture, then to the Committee on Finance

2810 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2811 Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Finance

2812 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2813 Committee on Human Services & Housing, then to the Committee on Finance

2814 Committee on Finance

2815 Committee on Human Services & Housing, then to the Committee on Finance

2816 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

2817 Committee on Higher Education, then to the Committee on Tourism & Culture, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
1969	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2017	Committee on Labor & Public Employment, then to the Committee on Finance
2021	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2028	Committee on Judiciary, then to the Committee on Education, then to the Committee on Finance
2045	Jointly to the Committee on Higher Education and the Committee on International Affairs
2167	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2180	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2280 Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

2297 Committee on Judiciary, then to the Committee on Finance

2362 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then jointly to the Committee on Legislative Management and the Committee on Judiciary

INTRODUCTION OF BILLS

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the following bills (H.B. Nos. 2851 through 3451) laying on the Clerk's desk and received up to 6:00 o'clock p.m. passed First Reading by title and were referred to Printing:

H. B. Nos.

2851 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Cabanilla.

2852 "A BILL FOR AN ACT RELATING TO THE ALTERNATIVE ENERGY."

Introduced by: Representatives Berg, Awana, Carroll, Green, Hanohano, Lee, Manahan, Morita, Tsuji, Wakai, Brower and Takumi.

2853 "A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE."

Introduced by: Representatives Berg, Awana, Carroll, Green, Hanohano, Lee, Manahan, Morita, Tsuji, Wakai, Brower and Takumi.

2854 "A BILL FOR AN ACT RELATING TO PARKING FOR PERSONS WITH DISABILITIES."

Introduced by: Representatives Berg, Awana, Carroll, Green, Hanohano, Manahan, Morita, Wakai and Takumi.

2855 "A BILL FOR AN ACT RELATING TO VEHICLE REGISTRATION."

Introduced by: Representatives Manahan, Evans, Lee, Luke, Nishimoto and Takumi.

2856 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Manahan, Evans, Lee, Luke, Nishimoto and Takumi.

2857 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Yamashita.

2858 "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS TAX CREDITS."

Introduced by: Representatives Yamashita and Tsuji.

2859 "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED."

Introduced by: Representatives McKelvey, Awana, Carroll, Evans, Hanohano, Har and Yamashita.

2860 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Souki, Herkes, Ito, Nishimoto, Yamane, Yamashita, Chang, Chong, Nakasone, and M. Oshiro.

2861 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say.

2862 "A BILL FOR AN ACT RELATING TO WIND ENERGY."

Introduced by: Representative Say.

2863 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say.

2864 "A BILL FOR AN ACT RELATING TO ADULT ENTERTAINMENT PRODUCTS."

Introduced by: Representative Say, by request.

2865 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION ON PRIMARY AND SPECIAL PRIMARY ELECTIONS."

Introduced by: Representative Say, by request.

2866 "A BILL FOR AN ACT RELATING TO PRIMARY AND SPECIAL PRIMARY ELECTIONS."

Introduced by: Representative Say, by request.

2867 "A BILL FOR AN ACT RELATING TO STATE HEALTH PLANNING."

Introduced by: Representative Say, by request.

2868 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representative Say, by request.

2869 "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS."

Introduced by: Representative Say, by request.

2870 "A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY."

Introduced by: Representative Say, by request.

2871 "A BILL FOR AN ACT RELATING TO ALTERNATIVE MEDICINE."

Introduced by: Representative Say, by request.

2872 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Sagum, Chang, Hanohano, Morita, Tokioka, Yamashita and Carroll.

2873 "A BILL FOR AN ACT RELATING TO STATE PARKS."

Introduced by: Representatives Sagum, Ito, Karamatsu, Carroll, Morita and Tokioka.

2874 "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI."

Introduced by: Representatives Sagum, Morita and Tokioka.

2875 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HEALTH CENTER IN PUNA."

Introduced by: Representatives Hanohano, Awana, Berg, Bertram, Green, McKelvey, Mizuno, Morita, Shimabukuro, Belatti, Carroll, Chong and Evans.

2876 "A BILL FOR AN ACT RELATING TO GEOLOGISTS."

Introduced by: Representative Berg.

2877 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Berg, by request.

2878 "A BILL FOR AN ACT RELATING TO HEALTH CARE."

Introduced by: Representatives Lee, Takumi, Yamane and Takamine.

2879 "A BILL FOR AN ACT RELATING TO PARENTAL RESPONSIBILITY."

Introduced by: Representatives Lee, Awana, Karamatsu, Manahan, Tsuji, Wakai, Yamane, Yamashita and Berg.

2880 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Lee.

2881 "A BILL FOR AN ACT RELATING TO PERINATAL CARE."

Introduced by: Representatives Lee, Awana, Bertram, Green, Shimabukuro and Yamane.

2882 "A BILL FOR AN ACT RELATING TO PARENTAL LIABILITY."

Introduced by: Representatives Lee, Awana, Karamatsu, Manahan, Tsuji, Wakai, Yamane, Yamashita and Berg.

2883 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representatives Awana, Carroll, Green, Karamatsu, Magaoay, Manahan, McKelvey, Mizuno, Shimabukuro and Tsuji.

2884 "A BILL FOR AN ACT RELATING TO KULEANA LANDS."

Introduced by: Representatives Awana, Carroll, Hanohano, Magaoay, Manahan, McKelvey, Mizuno, Shimabukuro, Brower, Karamatsu and Tsuji.

2885 "A BILL FOR AN ACT RELATING TO TAXES."

Introduced by: Representatives Awana, Carroll, Hanohano, Manahan, McKelvey, Mizuno, Karamatsu and Yamashita.

2886 "A BILL FOR AN ACT RELATING TO RECYCLING."

Introduced by: Representatives Awana, Green, Magaoay, Manahan, McKelvey, Mizuno, Thielen, Carroll, Karamatsu and Tsuji.

2887 "A BILL FOR AN ACT RELATING TO TATTOOING."

Introduced by: Representatives Awana, Carroll, Green, Hanohano, Manahan, McKelvey, Mizuno, Shimabukuro, Tokioka, Brower, Karamatsu, Magaoay, Marumoto, Rhoads and Tsuji.

2888 "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES."

Introduced by: Representative Herkes.

2889 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Herkes.

2890 "A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS."

Introduced by: Representative Herkes.

2891 "A BILL FOR AN ACT RELATING TO PLANNING."

Introduced by: Representative Herkes.

2892 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representative Herkes.

2893 "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE."

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

2894 "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS."

Introduced by: Representative McKelvey, by request.

2895 "A BILL FOR AN ACT RELATING TO AUTISM SPECTRUM DISORDERS."

Introduced by: Representatives Mizuno and Green.

2896 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATEWIDE LANGUAGE ACCESS BANK."

Introduced by: Representative Mizuno.

2897 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSET BUILDING."

Introduced by: Representative Mizuno.

2898 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representative Mizuno.

2899 "A BILL FOR AN ACT RELATING TO INTERNET SAFETY."

Introduced by: Representatives Mizuno and Green.

2900 "A BILL FOR AN ACT RELATING TO INCOME TAX."

Introduced by: Representatives Green and Meyer.

2901 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Nakasone.

2902 "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Nakasone.

2903 "A BILL FOR AN ACT RELATING TO VERTICAL AXIS WIND TURBINES."

Introduced by: Representatives Thielen, Belatti, Berg, Green, Ito, Luke, Morita and Pine.

2904 "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE DEVELOPMENT REVOLVING FUND."

Introduced by: Representatives Belatti, Bertram, Brower, Green, Hanohano, Lee, Luke, Marumoto, McKelvey, Morita, Wakai, Berg, Manahan and Saiki.

2905 "A BILL FOR AN ACT RELATING TO THE COLLEGE SAVINGS PROGRAM."

Introduced by: Representatives Belatti, Berg, Brower, Green, Hanohano, Luke, Marumoto, McKelvey, Morita, Saiki, Wakai, Bertram and Lee.

2906 "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED."

Introduced by: Representatives Belatti, Bertram, Ching, Evans, Finnegan, Green, Hanohano, Herkes, Luke, Marumoto, McKelvey, Meyer, Morita, Wakai, Awana, Brower, Magaoay, Mizuno, Sagum, Saiki, Souki, Takamine, Yamane and Yamashita.

2907 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FERAL PIG ABATEMENT."

Introduced by: Representative Belatti.

2908 "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS."

Introduced by: Representative M. Oshiro.

2909 "A BILL FOR AN ACT RELATING TO THE FIFTIETH ANNIVERSARY OF STATEHOOD COMMISSION."

Introduced by: Representative M. Oshiro.

2910 "A BILL FOR AN ACT RELATING TO TRADE SECRETS."

Introduced by: Representatives M. Oshiro, Sonson and Yamashita.

2911 "A BILL FOR AN ACT RELATING TO EMPLOYEES."

Introduced by: Representatives M. Oshiro, Sonson and Yamashita.

2912 "A BILL FOR AN ACT RELATING TO ADULT RESIDENTIAL CARE HOMES."

Introduced by: Representatives Magaoay, Awana, Hanohano, Har, Ito, Karamatsu, Manahan, Mizuno, Tokioka, Carroll, Chong, McKelvey, Rhoads, Shimabukuro, Tsuji and Yamashita.

2913 "A BILL FOR AN ACT RELATING TO KIDNEY DISEASE."

Introduced by: Representatives Magaoay, Awana, Carroll, Green, Hanohano, Har, Ito, Karamatsu, Manahan, McKelvey, Mizuno, Rhoads, Tokioka, Tsuji, Chong, Herkes, Shimabukuro and Yamashita.

2914 "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES."

Introduced by: Representatives Magaoay, Hanohano, Ito, Manahan, Mizuno, Sonson, Tsuji, Awana, Carroll, Chong, Har, Karamatsu, McKelvey, Tokioka and Yamashita.

2915 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAM PREPARING CANDIDATES FOR NURSES LICENSING EXAMINATIONS IN HAWAII."

Introduced by: Representatives Magaoay, Awana, Carroll, Hanohano, Har, Ito, Karamatsu, Manahan, McKelvey, Mizuno, Sonson, Tokioka, Tsuji, Yamashita and Chong.

2916 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Brower, Cabanilla, Green, Hanohano, Mizuno, Rhoads, Caldwell, Chong, Karamatsu, B. Oshiro and Takumi.

2917 "A BILL FOR AN ACT RELATING TO HARBORS."

Introduced by: Representatives Brower, Hanohano, Luke, Mizuno, Tsuji, Awana, Belatti, Berg, Caldwell, Chong, Evans, Green, Ito, McKelvey, Rhoads, Takumi and Yamashita.

2918 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Representatives Brower, Mizuno, B. Oshiro, Belatti, Berg, Caldwell, Chong, Evans, Hanohano, Ito, Luke, McKelvey, Takumi, Tsuji and Yamashita.

2919 "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL."

Introduced by: Representatives Tokioka and Morita.

2920 "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION."

Introduced by: Representatives Caldwell, Morita, Say and Tokioka.

2921 "A BILL FOR AN ACT RELATING TO KULEANA LANDS."

Introduced by: Representative Tokioka.

2922 "A BILL FOR AN ACT RELATING TO FUEL TAX."

Introduced by: Representatives Tokioka and Morita.

2923 "A BILL FOR AN ACT RELATING TO NINE HUNDRED NINETY-NINE YEAR HOMESTEAD LEASES."

Introduced by: Representative Tokioka.

2924 "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST COMPREHENSIVE HEALTH CENTER."

Introduced by: Representative Shimabukuro.

2925 "A BILL FOR AN ACT RELATING TO LAND HAVING VALUE AS A RESOURCE TO THE STATE."

Introduced by: Representative Shimabukuro.

2926 "A BILL FOR AN ACT RELATING TO SUBSTITUTE TEACHERS."

Introduced by: Representatives Caldwell, Chang, Evans, Lee, Nishimoto, Sonson, Takumi, Waters, Yamane, Belatti, Berg and Chong.

2927 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representatives Caldwell, M. Oshiro, B. Oshiro, Sonson and Takumi.

2928 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FOURTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Caldwell.

2929 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION."

Introduced by: Representatives Caldwell, Green, Mizuno, M. Oshiro, Say and Sonson.

2930 "A BILL FOR AN ACT RELATING TO THE STATE MINIMUM WAGE."

Introduced by: Representatives Caldwell, M. Oshiro, Sonson and Takumi.

2931 "A BILL FOR AN ACT RELATING TO A TECHNOLOGY MASTER PLAN."

Introduced by: Representatives Wakai, Awana, Berg, Finnegan, Hanohano, Marumoto, Meyer, Morita, M. Oshiro, Pine and Bertram.

2932 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Wakai, Awana, Berg, Carroll, Hanohano, Mizuno, Morita, Pine, Waters, Yamane, Bertram, Souki and Tsuji.

2933 "A BILL FOR AN ACT RELATING TO HIGHWAYS."

Introduced by: Representatives Wakai, Awana, Green, Berg, Bertram, Carroll, Hanohano, Marumoto, Mizuno, Morita, Souki, Tsuji and Waters.

2934 "A BILL FOR AN ACT RELATING TO TOBACCO PRODUCTS."

Introduced by: Representatives Wakai, Awana, Bertram, Green, Hanohano, Mizuno, Pine, Yamane, Berg, Carroll, Finnegan, Marumoto, Morita, M. Oshiro, Tsuji and Waters.

2935 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Wakai, Awana, Bertram, Finnegan, Hanohano, Marumoto, Meyer, Pine, Berg and Morita.

2936 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRD REPRESENTATIVE DISTRICT."

Introduced by: Representatives Tsuji, Chang and Hanohano.

2937 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Tsuji and Chang.

2938 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES."

Introduced by: Representatives Tsuji, Awana, Brower, Karamatsu, Magaoay, McKelvey, Mizuno, B. Oshiro, Wakai, Lee, Morita and Yamashita.

2939 "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT."

Introduced by: Representatives Tsuji, Awana, Brower, Chong, Hanohano, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Mizuno, B. Oshiro, Wakai, Yamane, Yamashita and Morita.

2940 "A BILL FOR AN ACT RELATING TO WATER RATES FOR AGRICULTURAL USE."

Introduced by: Representatives Tsuji, Awana, Berg, Brower, Chong, Hanohano, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Mizuno, Morita, B. Oshiro, Takai, Wakai, Yamane, Chang, McKelvey and Yamashita.

2941 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Manahan.

2942 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Chong, Nakasone, M. Oshiro, Say, Tsuji, Yamashita, and B. Oshiro.

2943 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Chong, Ito, Karamatsu, Tsuji, Yamashita, and B. Oshiro.

2944 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-NINTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Chong.

2945 "A BILL FOR AN ACT RELATING TO PRISONS."

Introduced by: Representatives Chong, Evans, Har, B. Oshiro and Yamashita.

2946 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Chong, Har, Herkes, Tsuji and Yamashita.

2947 "A BILL FOR AN ACT RELATING TO MARINE INSURANCE."

Introduced by: Representative Luke.

2948 "A BILL FOR AN ACT RELATING TO LEGAL COUNSEL."

Introduced by: Representative Luke.

2949 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SIXTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Luke.

2950 "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS."

Introduced by: Representative Luke.

2951 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Souki and Nakasone.

2952 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Souki and Nakasone.

2953 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Souki and Nakasone.

2954 "A BILL FOR AN ACT RELATED TO TOWING."

Introduced by: Representatives Souki and Nakasone.

2955 "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA."

Introduced by: Representatives Ito, Carroll, Chong, Karamatsu, Magaoay, Sagum, Tsuji and Yamashita.

2956 "A BILL FOR AN ACT RELATING TO HUNTING."

Introduced by: Representatives Ito, Karamatsu, Chong, Magaoay and Tsuji.

2957 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Ito, Brower, Chang, Magaoay, Manahan, Tsuji, Chong, Herkes, Sagum and Yamashita.

2958 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Ito, Brower, Chang, Magaoay, Manahan, Tsuji, Chong, Herkes, Sagum and Yamashita.

2959 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Representatives Yamashita, Brower, Chang, Chong, Herkes, Manahan, Yamane and Tsuji.

2960 "A BILL FOR AN ACT RELATING TO LIQUOR."

Introduced by: Representatives Yamashita, Evans, McKelvey, Tsuji, Yamane and Herkes.

2961 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Yamashita, Awana, Brower, Caldwell, Chang, Chong, Hanohano, Herkes, Lee, Manahan, McKelvey, Morita, B. Oshiro, M. Oshiro, Tokioka, Tsuji, Wakai, Yamane and Nakasone.

2962 "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS."

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

2963 "A BILL FOR AN ACT RELATING TO NATURAL DISASTERS."

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

2964 "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY."

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

2965 "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY."

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

2966 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representative Evans.

2967 "A BILL FOR AN ACT RELATING TO OPEN MEETING NOTICES."

Introduced by: Representative Evans.

2968 "A BILL FOR AN ACT RELATING TO PRETRIAL RELEASE."

Introduced by: Representative Evans.

2969 "A BILL FOR AN ACT RELATING TO INMATE REINTEGRATION PROGRAMS."

Introduced by: Representative Evans.

2970 "A BILL FOR AN ACT RELATING TO EVIDENCE."

Introduced by: Representative Evans.

2971 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

2972 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Takai.

2973 "A BILL FOR AN ACT RELATING TO EARLY LEARNING."

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

2974 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representatives Takumi, Awana, Belatti, Berg, Bertram, Caldwell, Carroll, Hanohano, Ito, Lee, Luke, Manahan, Mizuno, Morita, M. Oshiro, B. Oshiro, Rhoads, Say, Sonson, Takai, Wakai, Brower, Chong, Evans, Green, Har, Herkes, Karamatsu, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Shimabukuro, Souki, Takamine, Tokioka, Tsuji, Waters, Yamane and Yamashita.

2975 "A BILL FOR AN ACT RELATING TO PUBLIC WORK PROJECTS."

Introduced by: Representatives Takumi, Belatti, Berg, Caldwell, Hanohano, Lee, Luke, Manahan, Morita, Rhoads, Say, Sonson, Takai, Waters, Awana, Bertram, Brower, Carroll, Chong, Evans, Herkes, Ito, Karamatsu, Magaoay, McKelvey, Mizuno, Nakasone, M. Oshiro, Sagum, Saiki, Shimabukuro, Souki, Takamine, Tokioka, Tsuji, Yamane and Yamashita.

2976 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Awana, Bertram, Evans, Hanohano, Ito, Karamatsu, Magaoay, Mizuno, Takai, Berg, Cabanilla, Lee, Morita, Rhoads, Souki, Takamine and Takumi.

2977 "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES."

Introduced by: Representatives Chang, Awana, Bertram, Hanohano, Ito, Karamatsu, Magaoay, Takai, Tsuji, Berg, Evans, Lee, Mizuno, Rhoads, Shimabukuro, Takamine and Takumi.

2978 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Chang, Bertram, Evans, Hanohano, Herkes, Ito, Karamatsu, Magaoay, Mizuno, Shimabukuro, Takai, Tsuji, Yamashita, Lee, Morita, Rhoads, Takamine and Takumi.

2979 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Chang, Awana, Bertram, Evans, Hanohano, Ito, Karamatsu, Magaoay, Mizuno, Morita, Shimabukuro, Takai, Lee, Rhoads, Takamine and Takumi.

2980 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Awana, Berg, Bertram, Hanohano, Ito, Karamatsu, Lee, Magaoay, Mizuno, Morita, Shimabukuro, Takai, Evans, Rhoads, Takamine and Takumi.

2981 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative M. Oshiro.

2982 "A BILL FOR AN ACT RELATING TO CONFORMING STATE INCOME TAX STANDARD DEDUCTION TO FEDERAL STANDARD DEDUCTION."

Introduced by: Representatives Ward, Awana, Bertram, Brower, Marumoto, Meyer, Thielen, Mizuno, Nishimoto, Rhoads and Takumi.

2983 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ward, Bertram, Finnegan, Hanohano, Marumoto, Belatti, Brower, Mizuno, Morita, Nishimoto, Rhoads and Takumi.

2984 "A BILL FOR AN ACT RELATING TO LEGACY LANDS."

Introduced by: Representatives Ward, Brower, Cabanilla, Marumoto, Morita, Awana, Belatti, Bertram, Finnegan, Hanohano, Mizuno, Nishimoto and Rhoads.

2985 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Yamane, Chang, Manahan and Yamashita.

2986 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE COMMUNITY COLLEGES."

Introduced by: Representatives Yamane, Manahan, Tsuji, Yamashita and Chang.

2987 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representatives Yamane, Lee and Yamashita.

2988 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Yamane, Ito, Yamashita and Evans.

2989 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Bertram, Green, McKelvey, Carroll, Mizuno, Souki and Yamashita.

2990 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Bertram, McKelvey, Rhoads and Ward.

2991 "A BILL FOR AN ACT RELATING TO BEACHES."

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

2992 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Bertram, Carroll, McKelvey, Morita and Evans.

2993 "A BILL FOR AN ACT RELATING TO SCHOOL NUTRITION."

Introduced by: Representatives Bertram, McKelvey, Mizuno and Takumi.

2994 "A BILL FOR AN ACT RELATING TO REAPPORTIONMENT."

Introduced by: Representative Finnegan.

2995 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-THIRD, THIRTY-FOURTH, AND THIRTY-SIXTH REPRESENTATIVE DISTRICTS."

Introduced by: Representatives B. Oshiro, Takai and Takumi.

2996 "A BILL FOR AN ACT RELATING TO SECTION 529 COLLEGE SAVINGS PLAN."

Introduced by: Representatives B. Oshiro and Yamashita.

2997 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representatives B. Oshiro, Magaoay and Herkes.

2998 "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION."

Introduced by: Representatives B. Oshiro, Magaoay and Waters.

2999 "A BILL FOR AN ACT RELATING TO FIREARMS."

Introduced by: Representatives B. Oshiro, Caldwell, Magaoay, Takumi and Waters.

3000 "A BILL FOR AN ACT RELATING TO PROPERTY."

Introduced by: Representative Belatti.

3001 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representative Rhoads.

3002 "A BILL FOR AN ACT RELATING TO PROSTITUTION."

Introduced by: Representatives Rhoads, Awana, Brower, Ching, Mizuno, Say, Takai, Evans and McKelvey.

3003 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A HIGH OCCUPANCY AND TOLL REVERSIBLE EXPRESSWAY ON OAHU."

Introduced by: Representatives Meyer, Awana, Finnegan, Green, Marumoto, Pine, Bertram, Brower, Cabanilla, Hanohano, Mizuno, Morita, B. Oshiro, Takumi and Ward.

3004 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Meyer, Awana, Cabanilla, Finnegan, Green, Hanohano, Marumoto, Pine, Berg, Brower, McKelvey, Mizuno, Morita, B. Oshiro, Takumi and Ward.

3005 "A BILL FOR AN ACT RELATING TO TRAFFIC."

Introduced by: Representatives Meyer, Awana, Berg, Ching, Marumoto, Ward, Belatti, Hanohano, Morita and B. Oshiro.

3006 "A BILL FOR AN ACT RELATING TO INTOXICANTS."

Introduced by: Representatives Meyer, Awana, Belatti, Ching, Finnegan, Green, Marumoto, Mizuno, Pine, Ward, Manahan, B. Oshiro and Takumi.

3007 "A BILL FOR AN ACT RELATING TO CHILD PROTECTIVE SERVICES."

Introduced by: Representatives Meyer, Hanohano, Pine, Awana, Ching, Green, Mizuno, B. Oshiro and Ward.

3008 "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT."

Introduced by: Representative Shimabukuro.

3009 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative Waters.

3010 "A BILL FOR AN ACT RELATING TO VACCINES."

Introduced by: Representative Waters.

3011 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION."

Introduced by: Representative Waters.

3012 "A BILL FOR AN ACT RELATING TO ETHICS."

Introduced by: Representative Waters.

3013 "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE."

Introduced by: Representative Waters.

3014 "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES."

Introduced by: Representatives Bertram, Carroll, Hanohano, Awana, Brower, Lee and Yamashita.

3015 "A BILL FOR AN ACT RELATING TO SHORELINES."

Introduced by: Representatives Carroll and Waters.

3016 "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT."

Introduced by: Representatives Carroll, Awana, Bertram, Hanohano and Yamashita.

3017 "A BILL FOR AN ACT RELATING TO SOLID WASTE."

Introduced by: Representatives Carroll, Bertram, Hanohano, Lee, Awana and Brower.

3018 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Har, Caldwell, Carroll, Ito, Magaoay, McKelvey, Sagum, Yamashita, Chang and Evans.

3019 "A BILL FOR AN ACT RELATING TO VETERANS."

Introduced by: Representatives Har, Brower, Carroll, Ito, Magaoay, Manahan, McKelvey, Mizuno, B. Oshiro, Yamane, Chong, Evans, Karamatsu, Tsuji and Yamashita.

3020 "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING AMENDMENTS."

Introduced by: Representatives Har, Awana, Brower, Caldwell, Carroll, Chang, Evans, Herkes, Ito, Magaoay, McKelvey, Mizuno, Chong, Lee, Nakasone, B. Oshiro, Sagum and Tsuji.

3021 "A BILL FOR AN ACT RELATING TO TAX INCREMENT FINANCING."

Introduced by: Representatives Har, Awana, Caldwell, Carroll, Chang, Evans, Herkes, Ito, Karamatsu, Magaoay, McKelvey, Mizuno, Brower, Chong, Lee, Nakasone, B. Oshiro, Sagum and Tsuji.

3022 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TAX INCREMENT BONDS."

Introduced by: Representatives Har, Awana, Brower, Caldwell, Carroll, Chang, Evans, Herkes, Ito, Magaoay, McKelvey, Mizuno, Chong, Lee, Nakasone, B. Oshiro, Sagum and Tsuji.

3023 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE."

Introduced by: Representatives Takai, Har, Lee, McKelvey and Evans.

3024 "A BILL FOR AN ACT RELATING TO CONSUMER CREDIT."

Introduced by: Representatives Takai, Evans, Har, Lee and McKelvey.

3025 "A BILL FOR AN ACT RELATING TO INCOME TAX CHECK-OFF."

Introduced by: Representatives Takai, Bertram, Chang, Nishimoto and Takamine.

3026 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN."

Introduced by: Representatives Takai and Takumi.

3027 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representative Sonson.

3028 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representatives Sonson, Awana, Berg, Brower, Cabanilla, Caldwell, Magaoay, Mizuno, M. Oshiro, Wakai, Karamatsu and Tsuji.

3029 "A BILL FOR AN ACT RELATING TO PUBLIC WORKS."

Introduced by: Representatives Sonson, Awana, Belatti, Berg, Brower, Caldwell, Karamatsu, Magaoay, Mizuno, M. Oshiro, Rhoads and Tsuji.

3030 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representatives Sonson, Awana, Belatti, Berg, Brower, Cabanilla, Caldwell, Karamatsu, Magaoay, Mizuno, M. Oshiro, Rhoads and Tsuji.

3031 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Sonson, Awana, Belatti, Brower, Cabanilla, Magaoay, Manahan, Mizuno, Rhoads, Shimabukuro, Tsuji, Karamatsu and Lee.

3032 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

3033 "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS."

Introduced by: Representative Say, by request.

3034 "A BILL FOR AN ACT RELATING TO MILK."

Introduced by: Representative Say, by request.

3035 "A BILL FOR AN ACT RELATING TO THE OBLIGATION OF FUNDS."

Introduced by: Representative Say, by request.

3036 "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES."

Introduced by: Representative Say, by request.

3037 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICTY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS."

Introduced by: Representative Say, by request.

3038 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE."

Introduced by: Representative Say, by request.

3039 "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES."

Introduced by: Representative Say, by request.

3040 "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY."

Introduced by: Representative Say, by request.

3041 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representative Say, by request.

3042 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

3043 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVII OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

3044 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES."

Introduced by: Representative Say, by request.

3045 "A BILL FOR AN ACT RELATING TO HABEAS CORPUS."

Introduced by: Representative Say, by request.

3046 "A BILL FOR AN ACT RELATING TO THE PROTECTION OF CHARITABLE GIVING."

Introduced by: Representative Say, by request.

3047 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

3048 "A BILL FOR AN ACT RELATING TO GOVERNMENT TORT LIABILITY."

Introduced by: Representative Say, by request.

3049 "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION."

Introduced by: Representative Say, by request.

3050 "A BILL FOR AN ACT RELATING TO ACTIONS BY AND AGAINST THE STATE."

Introduced by: Representative Say, by request.

3051 "A BILL FOR AN ACT RELATING TO TORT ACTIONS."

Introduced by: Representative Say, by request.

3052 "A BILL FOR AN ACT RELATING TO TOBACCO."

Introduced by: Representative Say, by request.

3053 "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC."

Introduced by: Representative Say, by request.

3054 "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES."

Introduced by: Representative Say, by request.

3055 "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT."

Introduced by: Representative Say, by request.

3056 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

3057 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say, by request.

3058 "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM."

Introduced by: Representative Say, by request.

3059 "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS."

Introduced by: Representative Say, by request.

3060 "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representative Say, by request.

3061 "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT."

Introduced by: Representative Say, by request.

3062 "A BILL FOR AN ACT RELATING TO DISASTER LOANS."

Introduced by: Representative Say, by request.

3063 "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC SYSTEMS FOR PAY AS YOU SAVE."

Introduced by: Representative Say, by request.

3064 "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT."

Introduced by: Representative Say, by request.

3065 "A BILL FOR AN ACT RELATING TO MUSIC ENTERTAINMENT LEARNING EXPERIENCE PROGRAM."

Introduced by: Representative Say, by request.

3066 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES."

Introduced by: Representative Say, by request.

3067 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CREATIVE CENTER INCUBATOR."

Introduced by: Representative Say, by request.

3068 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Say, by request.

3069 "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES."

Introduced by: Representative Say, by request.

3070 "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS."

Introduced by: Representative Say, by request.

3071 "A BILL FOR AN ACT RELATING TO ENDOWED CHAIRS AT THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3072 "A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION."

Introduced by: Representative Say, by request.

3073 "A BILL FOR AN ACT RELATING TO INNOVATION CAPITAL."

Introduced by: Representative Say, by request.

3074 "A BILL FOR AN ACT RELATING TO A TECHNOLOGY TRANSFER PARTNERSHIP AT THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3075 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representative Say, by request.

3076 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT."

Introduced by: Representative Say, by request.

3077 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM PROCUREMENT CODE."

Introduced by: Representative Say, by request.

3078 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII SECTION 529 COLLEGE SAVINGS PROGRAM."

Introduced by: Representative Say, by request.

3079 "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY."

Introduced by: Representative Say, by request.

3080 "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES."

Introduced by: Representative Say, by request.

3081 "A BILL FOR AN ACT RELATING TO PUBLICATION OF HEARING NOTICES."

Introduced by: Representative Say, by request.

3082 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

3083 "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Say, by request.

3084 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Representative Say, by request.

3085 "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION."

Introduced by: Representative Say, by request.

3086 "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS."

Introduced by: Representative Say, by request.

3087 "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS."

Introduced by: Representative Say, by request.

3088 "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE PRACTICES."

Introduced by: Representative Say, by request.

3089 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3090 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE."

Introduced by: Representative Say, by request.

3091 "A BILL FOR AN ACT RELATING TO LOSS MITIGATION."

Introduced by: Representative Say, by request.

3092 "A BILL FOR AN ACT RELATING TO THE HAWAII HURRICANE RELIEF FUND."

Introduced by: Representative Say, by request.

3093 "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT."

Introduced by: Representative Say, by request.

3094 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Representative Say, by request.

3095 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3096 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3097 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3098 "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER."

Introduced by: Representative Say, by request.

3099 "A BILL FOR AN ACT RELATING TO VIATICAL SETTLEMENTS."

Introduced by: Representative Say, by request.

3100 "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR INSURANCE VIOLATIONS COMMITTED AGAINST ELDERS."

Introduced by: Representative Say, by request.

3101 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3102 "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY."

Introduced by: Representative Say, by request.

3103 "A BILL FOR AN ACT RELATING TO INSURANCE."

Introduced by: Representative Say, by request.

3104 "A BILL FOR AN ACT RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD."

Introduced by: Representative Say, by request.

3105 "A BILL FOR AN ACT RELATING TO OSTEOPATHY."

Introduced by: Representative Say, by request.

3106 "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS."

Introduced by: Representative Say, by request.

3107 "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS."

Introduced by: Representative Say, by request.

3108 "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS."

Introduced by: Representative Say, by request.

3109 "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS."

Introduced by: Representative Say, by request.

3110 "A BILL FOR AN ACT RELATING TO CONTRACTOR PENALTIES."

Introduced by: Representative Say, by request.

3111 "A BILL FOR AN ACT RELATING TO PRICE GOUGING DURING EMERGENCIES."

Introduced by: Representative Say, by request.

3112 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Say, by request.

3113 "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE."

Introduced by: Representative Say, by request.

3114 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representative Say, by request.

3115 "A BILL FOR AN ACT RELATING TO UNIFORM MAINTENANCE ALLOWANCE FOR ENLISTED PERSONNEL."

Introduced by: Representative Say, by request.

3116 "A BILL FOR AN ACT RELATING TO PUBLIC CHARTER SCHOOLS."

Introduced by: Representative Say, by request.

3117 "A BILL FOR AN ACT RELATING TO THE HAWAII EDUCATOR LOAN PROGRAM."

Introduced by: Representative Say, by request.

3118 "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO PUBLIC EDUCATION."

Introduced by: Representative Say, by request.

3119 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3120 "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES."

Introduced by: Representative Say, by request.

3121 "A BILL FOR AN ACT RELATING TO PHYSICAL EDUCATION."

Introduced by: Representative Say, by request.

3122 "A BILL FOR AN ACT RELATING TO ELECTIONS."

Introduced by: Representative Say, by request.

3123 "A BILL FOR AN ACT RELATING TO ACCESS TO HEALTH CARE."

Introduced by: Representative Say, by request.

3124 "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN"

Introduced by: Representative Say, by request.

3125 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representative Say, by request.

3126 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT"

Introduced by: Representative Say, by request.

3127 "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES."

Introduced by: Representative Say, by request.

3128 "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES."

Introduced by: Representative Say, by request.

3129 "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS."

Introduced by: Representative Say, by request.

3130 "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES."

Introduced by: Representative Say, by request.

3131 "A BILL FOR AN ACT RELATING TO SIBLING VISITATION."

Introduced by: Representative Say, by request.

3132 "A BILL FOR AN ACT RELATING TO AGE OF CONSENT FOR ADOPTION."

Introduced by: Representative Say, by request.

3133 "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT."

Introduced by: Representative Say, by request.

3134 "A BILL FOR AN ACT RELATING TO WELL CHILD FOLLOW-UP VISITS."

Introduced by: Representative Say, by request.

3135 "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION IN THE JUDICIARY."

Introduced by: Representative Say, by request.

3136 "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES."

Introduced by: Representative Say, by request.

3137 "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES."

Introduced by: Representative Say, by request.

3138 "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY EVICTIONS BOARDS."

Introduced by: Representative Say, by request.

3139 "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM."

Introduced by: Representative Say, by request.

3140 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY"

Introduced by: Representative Say, by request.

3141 "A BILL FOR AN ACT RELATING TO GOVERNMENT SERVICES."

Introduced by: Representative Say, by request.

3142 "A BILL FOR AN ACT RELATING TO SALARIES."

Introduced by: Representative Say, by request.

3143 "A BILL FOR AN ACT RELATING TO PARENTAL PREFERENCES IN GOVERNMENT CONTRACTS, PROGRAMS, AND SERVICES."

Introduced by: Representative Say, by request.

3144 "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLAN."

Introduced by: Representative Say, by request.

3145 "A BILL FOR AN ACT RELATING TO STATE AND COUNTY CONTRACTS FOR SERVICES."

Introduced by: Representative Say, by request.

3146 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."

Introduced by: Representative Say, by request.

3147 "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH."

Introduced by: Representative Say, by request.

3148 "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE."

Introduced by: Representative Say, by request.

3149 "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE. "

Introduced by: Representative Say, by request.

3150 "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT."

Introduced by: Representative Say, by request.

3151 "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES."

Introduced by: Representative Say, by request.

3152 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH."

Introduced by: Representative Say, by request.

3153 "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS."

Introduced by: Representative Say, by request.

3154 "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS."

Introduced by: Representative Say, by request.

3155 "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES."

Introduced by: Representative Say, by request.

3156 "A BILL FOR AN ACT RELATING TO WORKSITE WELLNESS PROGRAMS."

Introduced by: Representative Say, by request.

3157 "A BILL FOR AN ACT RELATING TO DIRECT PAYMENT TO PROVIDERS."

Introduced by: Representative Say, by request.

3158 "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS."

Introduced by: Representative Say, by request.

3159 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HEALTH EMERGENCY SURVEILLANCE SYSTEM."

Introduced by: Representative Say, by request.

3160 "A BILL FOR AN ACT RELATING TO CRUISE SHIPS."

Introduced by: Representative Say, by request.

3161 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION."

Introduced by: Representative Say, by request.

3162 "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT COUNCIL."

Introduced by: Representative Say, by request.

3163 "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS."

Introduced by: Representative Say, by request.

3164 "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION NEGOTIATION FOR BENEFIT COVERAGE."

Introduced by: Representative Say, by request.

3165 "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS. "

Introduced by: Representative Say, by request.

3166 "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD."

Introduced by: Representative Say, by request.

3167 "A BILL FOR AN ACT RELATING TO THE CLASSIFICATION OF CERTAIN FUNDS UNDER THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS."

Introduced by: Representative Say, by request.

3168 "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES."

Introduced by: Representative Say, by request.

3169 "A BILL FOR AN ACT RELATING TO LIFELONG LEARNING ACCOUNTS."

Introduced by: Representative Say, by request.

3170 "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER."

Introduced by: Representative Say, by request.

3171 "A BILL FOR AN ACT RELATING TO THE LAND COURT SYSTEM."

Introduced by: Representative Say, by request.

3172 "A BILL FOR AN ACT RELATING TO ELECTRONIC FILINGS IN THE BUREAU OF CONVEYANCES AND THE OFFICE OF THE ASSISTANT REGISTRAR."

Introduced by: Representative Say, by request.

3173 "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS."

Introduced by: Representative Say, by request.

3174 "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS."

Introduced by: Representative Say, by request.

3175 "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS."

Introduced by: Representative Say, by request.

3176 "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK."

Introduced by: Representative Say, by request.

3177 "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT. "

Introduced by: Representative Say, by request.

3178 "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS."

Introduced by: Representative Say, by request.

3179 "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER."

Introduced by: Representative Say, by request.

3180 "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND."

Introduced by: Representative Say, by request.

3181 "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES."

Introduced by: Representative Say, by request.

3182 "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES."

Introduced by: Representative Say, by request.

3183 "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS."

Introduced by: Representative Say, by request.

3184 "A BILL FOR AN ACT RELATING TO INTEREST ARBITRATION"

Introduced by: Representative Say, by request.

3185 "A BILL FOR AN ACT RELATING TO PRISON LITIGATION."

Introduced by: Representative Say, by request.

3186 "A BILL FOR AN ACT RELATING TO PRISON LITIGATION."

Introduced by: Representative Say, by request.

3187 "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL PROGRAM REVOLVING FUND."

Introduced by: Representative Say, by request.

3188 "A BILL FOR AN ACT RELATING TO THE COMPREHENSIVE OFFENDER REENTRY SYSTEM."

Introduced by: Representative Say, by request.

3189 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Say, by request.

3190 "A BILL FOR AN ACT RELATING TO ARTICLE VII, SECTION 6, OF THE CONSTITUTION OF THE STATE OF HAWAII."

Introduced by: Representative Say, by request.

3191 "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE."

Introduced by: Representative Say, by request.

3192 "A BILL FOR AN ACT RELATING TO REVENUE AUTHORITIES ADMINISTERED BY THE GOVERNMENT."

Introduced by: Representative Say, by request.

3193 "A BILL FOR AN ACT RELATING TO ELECTRONIC TAX ADMINISTRATION."

Introduced by: Representative Say, by request.

3194 "A BILL FOR AN ACT RELATING TO INCOME TAXATION EXCLUSION FOR INDIVIDUAL TAXPAYERS AGED 65 AND OVER."

Introduced by: Representative Say, by request.

3195 "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT."

Introduced by: Representative Say, by request.

3196 "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX."

Introduced by: Representative Say, by request.

3197 "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM."

Introduced by: Representative Say, by request.

3198 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

3199 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representative Say, by request.

3200 "A BILL FOR AN ACT RELATING TO THE EXEMPTION OF STATE HIGHWAY PROJECTS FROM THE COUNTY SUBDIVISION APPROVAL PROCESS."

Introduced by: Representative Say, by request.

3201 "A BILL FOR AN ACT RELATING TO VEHICLE IGNITION INTERLOCK SYSTEMS."

Introduced by: Representative Say, by request.

3202 "A BILL FOR AN ACT RELATING TO COMMERICAL [*sic*] HARBORS MODERNIZATION."

Introduced by: Representative Say, by request.

3203 "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS."

Introduced by: Representative Say, by request.

3204 "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3205 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3206 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representative Say, by request.

3207 "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS."

Introduced by: Representative Say, by request.

3208 "A BILL FOR AN ACT RELATING TO NURSING."

Introduced by: Representative Say, by request.

3209 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representative Morita, by request.

3210 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ACQUISITION OF A PUBLIC RIGHT OF ACCESS TO HAENA BEACH PARK."

Introduced by: Representatives Morita, Sagum and Tokioka.

3211 "A BILL FOR AN ACT RELATING TO CLOTHESLINES."

Introduced by: Representatives Morita, Hanohano, Lee, Nishimoto, Takai, Thielen, Belatti, Berg, Ito, Karamatsu, Magaoay, Sagum and Takumi.

3212 "A BILL FOR AN ACT RELATING TO THE HAWAII ACADEMY OF SCIENCE."

Introduced by: Representatives Morita, Caldwell, Hanohano, Luke, Nishimoto, Takai, Wakai, Yamashita, Belatti, Brower and Carroll.

3213 "A BILL FOR AN ACT RELATING TO AIR POLLUTION."

Introduced by: Representatives Morita, Berg, Brower, Hanohano, Lee, Luke, Magaoay, Nishimoto, Takai, Thielen, Wakai, Belatti, Carroll, Ito, Karamatsu, Sagum, Takamine and Takumi.

3214 "A BILL FOR AN ACT RELATING TO MILITARY SPECIAL NUMBER PLATES."

Introduced by: Representatives Pine, Bertram, Finnegan, McKelvey, Nishimoto, Sonson, Carroll, Chang, Evans, Herkes, Karamatsu, Lee, Morita, Rhoads, Takumi and Wakai.

3215 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Ching.

3216 "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM THE GENERAL EXCISE TAX."

Introduced by: Representative Ching.

3217 "A BILL FOR AN ACT RELATING TO SENIOR CENTERS."

Introduced by: Representative Ching.

[Note: The following bills were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

3218 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

3219 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

3220 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Takumi and Berg.

3221 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Takumi.

3222 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Ching, Bertram, Green, Hanohano, Rhoads, Wakai, Ward, Berg, Evans, Morita and Sagum.

3223 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Ching, Bertram, Green, Hanohano, Rhoads, Wakai, Ward, Berg, Evans and Morita.

3224 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Finnegan.

3225 "A BILL FOR AN ACT RELATING TO NEIGHBORHOOD ELECTRIC VEHICLES."

Introduced by: Representative Souki.

3226 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Awana, Evans, Hanohano, Ito, Karamatsu, Magaoay, Mizuno, Morita, Takai, Tsuji, Berg, Bertram, Lee, Rhoads, Takamine and Takumi.

3227 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Chang, Awana, Bertram, Hanohano, Ito, Karamatsu, Magaoay, Mizuno, Morita, Takai, Takumi, Lee, Rhoads and Takamine.

3228 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."

Introduced by: Representative Nishimoto, by request.

3229 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Nishimoto, Green, Luke, Manahan, McKelvey, Mizuno, Saiki and Takamine.

3230 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Nishimoto.

3231 "A BILL FOR AN ACT RELATING TO HUMAN SERVICES."

Introduced by: Representatives Nishimoto, Green, Luke, Manahan, McKelvey, Mizuno, Saiki and Takamine.

3232 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Saiki and Luke.

3233 "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES."

Introduced by: Representatives Saiki and Luke.

3234 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Saiki.

3235 "A BILL FOR AN ACT RELATING TO CHILD ABUSE."

Introduced by: Representative Thielen, by request.

3236 "A BILL FOR AN ACT RELATING TO COUNTY ZONING."

Introduced by: Representatives Thielen and Ito.

3237 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

Introduced by: Representative Thielen, by request.

3238 "A BILL FOR AN ACT RELATING TO APPLIED ARCHAEOLOGY."

Introduced by: Representatives Chang, Awana, Evans, Ito, Lee, Magaoay, Tsuji, Yamane, Sagum, Takamine and Takumi.

3239 "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR CAPITAL IMPROVEMENT PROJECTS FOR THE SECOND REPRESENTATIVE DISTRICT."

Introduced by: Representative Chang.

3240 "A BILL FOR AN ACT RELATING TO ANIMALS."

Introduced by: Representative Shimabukuro.

3241 "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION."

Introduced by: Representative Lee, by request.

3242 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Lee, Awana, Bertram, Caldwell, Green, Hanohano, Luke, Manahan, McKelvey, Morita, Takai, Thielen, Yamane, Brower, Har, M. Oshiro and Takamine.

3243 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU SYMPHONY AND ITS PROGRAMS."

Introduced by: Representatives Lee, Awana, Caldwell, Green, Hanohano, Har, Luke, Manahan, Shimabukuro, Takai, Yamane, Bertram, Brower and Takamine.

3244 "A BILL FOR AN ACT RELATING TO COMPENSATION OF CRIME VICTIMS AND WITNESSES."

Introduced by: Representatives Lee, Awana, Bertram, Brower, Caldwell, Green, Hanohano, Har, Luke, Manahan, McKelvey, Morita, Thielen, M. Oshiro, Takai, Takamine and Yamane.

3245 "A BILL FOR AN ACT RELATING TO MEDICINE AND SURGERY."

Introduced by: Representatives Nishimoto, Luke, Mizuno, Saiki, McKelvey and Takamine.

3246 "A BILL FOR AN ACT RELATING TO NOISE."

Introduced by: Representatives Nishimoto, Brower, Green, Luke, Saiki, Mizuno and Takamine.

3247 "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."

Introduced by: Representative Waters.

3248 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIFTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Waters.

3249 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representative Waters.

3250 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Rhoads.

3251 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Rhoads, Brower, Har, Nishimoto and Saiki.

3252 "A BILL FOR AN ACT RELATING TO MUSIC ENTERTAINMENT LEARNING EXPERIENCE PROGRAM."

Introduced by: Representatives Rhoads, Caldwell, Manahan, Chang, M. Oshiro, Say and Yamashita.

3253 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-SEVENTH DISTRICT."

Introduced by: Representatives Yamane and Lee.

3254 "A BILL FOR AN ACT RELATING TO LIFE SCIENCES."

Introduced by: Representatives Yamane, Tsuji, Yamashita and Karamatsu.

3255 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Yamane, Souki and Yamashita.

3256 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ASSIST GEOGRAPHICALLY ISOLATED SCHOOLS UNDER THE WEIGHTED STUDENT FORMULA."

Introduced by: Representative Say, by request.

3257 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SCIENCE AND TECHNOLOGY IN PUBLIC EDUCATION."

Introduced by: Representative Say, by request.

3258 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH TWO BOARD OF EDUCATION ANALYST POSITIONS."

Introduced by: Representative Say, by request.

3259 "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED."

Introduced by: Representative Say.

3260 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representative Say, by request.

3261 "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."

Introduced by: Representative Say, by request.

3262 "A BILL FOR AN ACT RELATING TO HONOLUA BAY."

Introduced by: Representatives McKelvey, Awana, Berg, Bertram, Carroll, Chang, Evans, Green, Hanohano, Har, Lee, Magaoay, Manahan, Mizuno, Morita, Sagum, Shimabukuro, Thielen, Tsuji, Wakai, Yamane, Yamashita, Chong, M. Oshiro and Tokioka.

3263 "A BILL FOR AN ACT RELATING TO TRAFFIC FINE SURCHARGE."

Introduced by: Representatives Tokioka, Awana, Hanohano, Har, Magaoay, Manahan, McKelvey, Mizuno, Morita, Rhoads, Waters, Chang, Sagum and Shimabukuro.

3264 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FOURTEENTH, FIFTEENTH, AND SIXTEENTH REPRESENTATIVE DISTRICTS."

Introduced by: Representatives Tokioka, Morita and Sagum.

3265 "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO COASTAL AREAS."

Introduced by: Representatives Berg, Brower, Green, McKelvey, Waters, Belatti, Carroll, Hanohano, Luke, Nishimoto, Saiki, Takumi and Yamashita.

3266 "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD."

Introduced by: Representatives Berg, Carroll, Green, Hanohano, Wakai, Waters, Yamashita, Belatti, Brower, Luke, McKelvey, Nishimoto, Saiki and Takumi.

3267 "A BILL FOR AN ACT RELATING TO LEGACY LANDS."

Introduced by: Representative Berg.

3268 "A BILL FOR AN ACT RELATING TO WATER SAFETY."

Introduced by: Representatives Cabanilla, Green, Caldwell, Ito, Karamatsu, Luke, McKelvey, Mizuno, Morita, Sagum, Say and Ward.

3269 "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES."

Introduced by: Representatives Cabanilla, Mizuno, Awana, Manahan and Yamashita.

3270 "A BILL FOR AN ACT RELATING TO GRAY WATER."

Introduced by: Representatives Awana, Bertram, Cabanilla, Chang, Chong, Hanohano, Ito, Mizuno, Shimabukuro, Thielen, Belatti, Brower, Carroll, Green, Magaoay, McKelvey and Rhoads.

3271 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Awana, Bertram, Green, Hanohano, McKelvey, Mizuno, Morita, Rhoads, Belatti, Carroll, Chang, Chong, Ito, Magaoay, Shimabukuro, Yamane and Yamashita.

3272 "A BILL FOR AN ACT RELATING TO PUBLIC LANDS."

Introduced by: Representatives Chang, Bertram, Herkes, Karamatsu, Mizuno, Berg, Evans, Har, Ito, Lee, Magaoay, Nishimoto, Sagum, Shimabukuro, Takamine, Tsuji, Yamane and Yamashita.

3273 "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS."

Introduced by: Representative McKelvey, by request.

3274 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR URGENT AND EXTENDED EMERGENCY MEDICAL CARE IN WEST MAUI."

Introduced by: Representatives McKelvey, Carroll, Mizuno, Morita, Evans and Souki.

3275 "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS."

Introduced by: Representatives Magaoay, Herkes, Ito, Karamatsu, Manahan, Mizuno, Hanohano, Har, McKelvey, Sonson, Tokioka, Tsuji and Yamashita.

3276 "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR."

Introduced by: Representatives Magaoay, Awana, Cabanilla, Green, Har, McKelvey, Mizuno, Shimabukuro, Tokioka, Belatti, Rhoads, Sagum and Tsuji.

3277 "A BILL FOR AN ACT RELATING TO ORGANIC AGRICULTURE."

Introduced by: Representatives Magaoay, Chang, Herkes, McKelvey, Tsuji, Yamane and Yamashita.

3278 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR GEOGRAPHICAL MAPPING."

Introduced by: Representatives Magaoay, Chang, Karamatsu and Tsuji.

3279 "A BILL FOR AN ACT RELATING TO THE HAWAII UNITED OKINAWA ASSOCIATION."

Introduced by: Representatives Magaoay, Awana, Chong, Hanohano, Har, Ito, Karamatsu, Manahan, McKelvey, Mizuno, Nakasone, B. Oshiro, M. Oshiro, Say, Shimabukuro, Tsuji, Yamane, Takamine and Yamashita.

3280 "A BILL FOR AN ACT MAKING APPROPRIATIONS TO KAPIOLANI COMMUNITY COLLEGE."

Introduced by: Representative Marumoto.

3281 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE NINETEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Marumoto.

3282 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Marumoto.

3283 "A BILL FOR AN ACT RELATING TO PUBLIC HIGHWAYS."

Introduced by: Representative Marumoto.

3284 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO PROTECT THE TRADITIONAL CULTURAL PRACTICE OF FIGHTING GAMECOCKS."

Introduced by: Representative Sagum, by request.

3285 "A BILL FOR AN ACT RELATING TO WATER RESOURCES."

Introduced by: Representative Sagum.

3286 "A BILL FOR AN ACT RELATING TO MINING."

Introduced by: Representatives Sagum, Chang, Mizuno, Awana, Lee, Tokioka, Ward and Yamashita.

3287 "A BILL FOR AN ACT RELATING TO PUBLIC EMPLOYMENT."

Introduced by: Representatives Takai and Sonson.

3288 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Finnegan and Ching.

3289 "A BILL FOR AN ACT RELATING TO THE COMPACT OF FREE ASSOCIATION."

Introduced by: Representatives Wakai, Carroll, Finnegan, Hanohano, Marumoto, Tsuji, Yamashita, Bertram, Evans, Ito, Sagum and Thielen.

3290 "A BILL FOR AN ACT RELATING TO ASSISTING PERSONS UNDER A COMPACT OF FREE ASSOCIATION."

Introduced by: Representatives Wakai, Awana, Berg, Green, Hanohano, Morita, Bertram, Carroll, Finnegan, Marumoto, Meyer, Mizuno, M. Oshiro, Pine, Tsuji, Waters and Yamane.

3291 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Wakai.

3292 "A BILL FOR AN ACT RELATING TO LOSS MITIGATION."

Introduced by: Representative Wakai, by request.

3293 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Representatives Belatti, Awana, Berg, Bertram, Cabanilla, Carroll, Finnegan, Green, Marumoto, Meyer, Mizuno, Morita, Pine, Saiki, Thielen, Wakai, Evans, Souki, Takamine and Tsuji.

3294 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Representatives Belatti, Berg, Bertram, Cabanilla, Finnegan, Marumoto, Meyer, Morita, Pine, Takai, Thielen, Wakai, Awana, Brower, Carroll, Evans, Luke, Mizuno, Saiki, Souki, Takamine and Tsuji.

3295 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-FIFTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Belatti.

3296 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Representatives Belatti, Berg, Bertram, Cabanilla, Luke, Marumoto, Meyer, Morita, Pine, Saiki, Thielen, Awana, Carroll, Evans, Finnegan, Mizuno, Souki, Takamine, Tsuji and Wakai.

3297 "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION."

Introduced by: Representatives Belatti, Finnegan, Luke, Marumoto, Meyer, Pine, Thielen, Wakai, Awana, Berg, Bertram, Cabanilla, Carroll, Evans, Mizuno, Morita, Saiki, Souki, Takamine and Tsuji.

3298 "A BILL FOR AN ACT RELATING TO ATTORNEY'S FEES."

Introduced by: Representatives Sonson, Cabanilla, Morita, Souki and Yamashita.

3299 "A BILL FOR AN ACT RELATING TO TEACHERS."

Introduced by: Representatives Sonson, Har, Morita, Rhoads, Shimabukuro, Awana, Chong, Nishimoto, Souki, Takumi, Tsuji and Yamashita.

3300 "A BILL FOR AN ACT RELATING TO CONTRACTORS."

Introduced by: Representatives Sonson, Morita, Shimabukuro and Yamashita.

3301 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representative Herkes, by request.

3302 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representative Herkes.

3303 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL."

Introduced by: Representative Herkes.

3304 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Herkes.

3305 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representative Herkes, by request.

3306 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Tsuji.

3307 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Tsuji.

3308 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representative Tsuji.

3309 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Tsuji, Brower, Chang, Evans, Ito, Karamatsu, Magaoay, Wakai and Yamashita.

3310 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Tsuji, Brower, Chang, Chong, Evans, Ito, Magaoay, Waters, Yamane, Yamashita and Karamatsu.

3311 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Karamatsu and Chang.

3312 "A BILL FOR AN ACT RELATING TO HEALTH PRODUCTS."

Introduced by: Representative Karamatsu.

3313 "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL BUILDING."

Introduced by: Representative Karamatsu.

3314 "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA."

Introduced by: Representative Karamatsu.

3315 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR CAPITAL IMPROVEMENT PROJECTS FOR THE FORTY-FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Karamatsu.

3316 "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM."

Introduced by: Representatives Meyer, Brower, Cabanilla and Souki.

3317 "A BILL FOR AN ACT RELATING TO FUEL."

Introduced by: Representatives Meyer, Cabanilla, Brower and Souki.

3318 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Meyer, Brower, Cabanilla, Souki and Ward.

3319 "A BILL FOR AN ACT RELATING TO SMOKING."

Introduced by: Representatives Meyer, Brower, Cabanilla, Souki and Ward.

3320 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Meyer, Brower, Souki and Ward.

3321 "A BILL FOR AN ACT RELATING TO CHAPTER 580, HAWAII REVISED STATUTES."

Introduced by: Representatives Meyer, Ching, Thielen, Brower, Finnegan, Marumoto, Pine, Souki, Ward and Waters.

3322 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Meyer, by request.

3323 "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS."

Introduced by: Representative Luke.

3324 "A BILL FOR AN ACT RELATING TO INTERIOR DESIGNERS."

Introduced by: Representative Luke.

3325 "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT."

Introduced by: Representatives Luke, Magaoay, Yamane, Caldwell, Herkes and Souki.

3326 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Bertram and McKelvey.

3327 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Bertram, Berg, Carroll and Morita.

3328 "A BILL FOR AN ACT RELATING TO CIVIL RIGHTS."

Introduced by: Representative Bertram.

3329 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE ELEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Bertram.

3330 "A BILL FOR AN ACT RELATING TO FISHING."

Introduced by: Representative Bertram.

3331 "A BILL FOR AN ACT RELATING TO CONDOMINIUMS."

Introduced by: Representatives Brower, Green, Berg, Caldwell, Evans, Ito, Magaoay, McKelvey, Mizuno, Morita, Souki and Tsuji.

3332 "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT."

Introduced by: Representatives Brower, Hanohano, Magaoay, Mizuno, Morita, Wakai, Awana, Berg, Chang, Evans and Tsuji.

3333 "A BILL FOR AN ACT RELATING TO KAKAAKO."

Introduced by: Representatives Brower, Awana, Green, Lee, Luke, Magaoay, Mizuno, Saiki, Tsuji, Belatti, Cabanilla, Karamatsu, Morita, Rhoads, Sagum and Takamine.

3334 "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY."

Introduced by: Representatives Brower, Awana, Cabanilla, Green, Hanohano, Luke, Magaoay, McKelvey, Mizuno, Tsuji, Wakai, Evans, Morita, Souki and Takamine.

3335 "A BILL FOR AN ACT RELATING TO SCHOOL BUSES."

Introduced by: Representatives Awana and McKelvey.

3336 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FIRST REPRESENTATIVE DISTRICT."

Introduced by: Representative Takamine.

3337 "A BILL FOR AN ACT RELATING TO TRANSPORTATION."

Introduced by: Representatives Takamine, Caldwell, Lee, Mizuno, Takumi, Tsuji and Brower.

3338 "A BILL FOR AN ACT RELATING TO EDUCATION REFORM."

Introduced by: Representative Takamine.

3339 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representative Takamine.

3340 "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH."

Introduced by: Representatives Chong and Waters.

3341 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Chong, Ito, Karamatsu and Waters.

3342 "A BILL FOR AN ACT RELATING TO TAX CREDITS."

Introduced by: Representatives Chong, B. Oshiro, Tsuji and Yamashita.

3343 "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH."

Introduced by: Representatives Manahan, Belatti, Berg, Cabanilla, Chang, Har, Herkes, Karamatsu, Lee, Magaoay, Mizuno, Sonson and Wakai.

3344 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Manahan, Ito, Magaoay and Takumi.

3345 "A BILL FOR AN ACT RELATING TO BOATING FACILITIES AT KEEHI LAGOON."

Introduced by: Representative Manahan.

3346 "A BILL FOR AN ACT RELATING TO PRIVATE PATROL OPERATORS AND TRAINING FACILITIES."

Introduced by: Representative Evans, by request.

3347 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE QUEEN'S MEDICAL CENTER TO PROVIDE FOR EMERGENCY ENERGY CAPACITY."

Introduced by: Representative Evans.

3348 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Evans, Brower, Cabanilla, Caldwell, Ching, Marumoto, Say and Tsuji.

3349 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Evans.

3350 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representatives Mizuno and Brower.

3351 "A BILL FOR AN ACT RELATING TO TEMPORARY RESTRAINING ORDERS."

Introduced by: Representatives Mizuno, Belatti, Brower, Sagum and Waters.

3352 "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER."

Introduced by: Representatives Mizuno and Brower.

3353 "A BILL FOR AN ACT RELATING TO INFECTIOUS AND COMMUNICABLE DISEASES."

Introduced by: Representatives Mizuno, Green, Brower and Sagum.

3354 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representative Mizuno.

3355 "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS."

Introduced by: Representatives Nakasone and Yamashita.

3356 "A BILL FOR AN ACT RELATING TO THE HIGH TECHNOLOGY BUSINESS INVESTMENT TAX CREDIT."

Introduced by: Representative M. Oshiro.

3357 "A BILL FOR AN ACT RELATING TO BUSINESS."

Introduced by: Representative Yamashita.

3358 "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY."

Introduced by: Representatives Yamashita, Awana, Berg, Caldwell, Chong, Hanohano, Har, Ito, Lee, McKelvey, Mizuno, Morita, B. Oshiro, M. Oshiro, Say, Tsuji, Wakai, Waters, Yamane, Karamatsu, Nakasone and Tokioka.

3359 "A BILL FOR AN ACT RELATING TO AGRICULTURE."

Introduced by: Representatives Yamashita, Chong and Tsuji.

3360 "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY."

Introduced by: Representatives Yamashita, Awana, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Chong, Evans, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, Marumoto, McKelvey, Mizuno, Morita, B. Oshiro, M. Oshiro, Say, Shimabukuro, Sonson, Souki, Tsuji, Wakai, Waters, Yamane, Nakasone, Sagum, Takamine and Tokioka.

3361 "A BILL FOR AN ACT RELATING TO TORTS."

Introduced by: Representative Green.

3362 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Pine, Cabanilla, Say, Berg, Ching, Finnegan, Ito, Magaoay, Marumoto, McKelvey, Meyer, Rhoads, Shimabukuro, Thielen and Tsuji.

3363 "A BILL FOR AN ACT RELATING TO JUVENILE COURT RECORDS."

Introduced by: Representatives Pine, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Thielen, Berg, Carroll, Chang, Chong, Evans, Lee, Magaoay, McKelvey, Nishimoto, Rhoads, Say and Shimabukuro.

3364 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FACILITATE THE SHARING OF INFORMATION OF FAMILY COURT RECORDS WITH SCHOOLS IN THE CASE OF CERTAIN MINOR OFFENDERS."

Introduced by: Representatives Pine, Ching, Marumoto, Thielen, Berg, Carroll, Chang, Chong, Evans, Lee, Magaoay, McKelvey, Meyer, Nishimoto, Rhoads, Say and Shimabukuro.

3365 "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE."

Introduced by: Representatives Pine, Finnegan, Meyer, Rhoads, Bertram, Cabanilla, Chang, Karamatsu, McKelvey, Nishimoto and Sonson.

3366 "A BILL FOR AN ACT RELATING TO FIREWORKS."

Introduced by: Representatives Pine, Finnegan, Marumoto, Thielen, Ching, Evans, McKelvey, Mizuno, Morita, Shimabukuro and Takumi.

3367 "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911."

Introduced by: Representatives Caldwell, Herkes, Lee, McKelvey, and B. Oshiro.

3368 "A BILL FOR AN ACT RELATING TO LABOR."

Introduced by: Representative Caldwell.

3369 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGAL SERVICES."

Introduced by: Representatives Caldwell, B. Oshiro, Waters, Evans and Ito.

3370 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Caldwell, Hanohano, Ito, Lee, Magaoay, Souki, Takai, Waters, Awana, Bertram, Brower, Carroll, Chang, Chong, Evans, Karamatsu, Manahan, B. Oshiro, M. Oshiro, Sagum, Saiki, Say, Takumi and Tsuji.

3371 "A BILL FOR AN ACT RELATING TO SUSTAINABILITY."

Introduced by: Representatives Caldwell, Bertram, Chang, Hanohano, Lee, Magaoay, Souki, Takai, Waters, Awana, Belatti, Brower, Carroll, Chong, Evans, Ito, Karamatsu, Manahan, Morita, B. Oshiro, M. Oshiro, Sagum, Saiki, Say, Takumi and Tsuji.

3372 "A BILL FOR AN ACT RELATING TO SERIOUS OFFENSES COMMITTED BY MINORS."

Introduced by: Representative Waters.

3373 "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND."

Introduced by: Representatives Mizuno, Waters and Souki.

3374 "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION."

Introduced by: Representatives Har, Awana, Carroll, Chang, Evans, Herkes, Ito, Karamatsu, McKelvey, Nakasone, Sagum, Say and Tokioka.

3375 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

Introduced by: Representatives Har, Awana, Chong, Lee, Magaoay, Say, Tokioka, Yamane, Chang, Karamatsu, and M. Oshiro.

3376 "A BILL FOR AN ACT RELATING TO COUNTY INFRASTRUCTURE CAPACITY CONSTRUCTION FINANCING."

Introduced by: Representatives Har, Awana, Brower, Caldwell, Chang, Herkes, Ito, Karamatsu, McKelvey, M. Oshiro, Sagum, Say, Chong, Lee, Magaoay, Nakasone, Rhoads, Tokioka and Yamane.

3377 "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY."

Introduced by: Representatives Har, Awana, Caldwell, Carroll, Chang, Chong, Hanohano, Herkes, Ito, Karamatsu, Lee, Magaoay, Manahan, McKelvey, Mizuno, B. Oshiro, Rhoads, Sagum, Say, Tokioka, Tsuji, Waters, Yamane, Yamashita, Evans, M. Oshiro and Souki.

3378 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTIETH REPRESENTATIVE DISTRICT."

Introduced by: Representative Har.

3379 "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE."

Introduced by: Representative B. Oshiro.

3380 "A BILL FOR AN ACT RELATING TO LOBBYISTS."

Introduced by: Representative B. Oshiro.

3381 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO THE USS MISSOURI MEMORIAL ASSOCIATION, INC., FOR REPAIRS AND RESTORATION OF THE BATTLESHIP MISSOURI."

Introduced by: Representatives B. Oshiro, Brower, Chang, Finnegan, Har, Magaoay, Tokioka, Ward, Yamane and Saiki.

3382 "A BILL FOR AN ACT RELATING TO BANKRUPTCY."

Introduced by: Representative B. Oshiro.

3383 "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE."

Introduced by: Representatives B. Oshiro, Caldwell, Evans, Har, Magaoay, Waters and Takamine.

3384 "A BILL FOR AN ACT RELATING TO MEDICAL RECORDS."

Introduced by: Representatives B. Oshiro and Waters.

3385 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representative Say.

3386 "A BILL FOR AN ACT RELATING TO ATTORNEYS."

Introduced by: Representative Say.

3387 "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS."

Introduced by: Representative Green.

3388 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE FORTY-EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ito.

3389 "A BILL FOR AN ACT RELATING TO MARINE LIFE CONSERVATION DISTRICTS."

Introduced by: Representatives Ito, and M. Oshiro.

3390 "A BILL FOR AN ACT RELATING TO REAL PROPERTY."

Introduced by: Representatives Ito and Chong.

3391 "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES."

Introduced by: Representatives Ito, and M. Oshiro.

3392 "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE X OF THE CONSTITUTION OF THE HAWAII STATE CONSTITUTION."

Introduced by: Representatives Finnegan, Ching, Meyer and Ward.

3393 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TWENTY-SEVENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ching.

3394 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRADUATE MARITIME ARCHAEOLOGY AND HISTORY CERTIFICATE PROGRAM."

Introduced by: Representatives Ching, Cabanilla, Marumoto, Takai, Awana, Brower, Chang, Ito, Magaoay, Meyer, Pine, Say, Shimabukuro, Souki, Takumi, Thielen, Ward and Yamashita.

3395 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representatives Ching, Brower, Cabanilla, Marumoto, Pine, Takai, Ward, Awana, Ito, Magaoay, Meyer, Say, Shimabukuro, Thielen and Yamashita.

3396 "A BILL FOR AN ACT RELATING TO CHILDREN."

Introduced by: Representatives Ching, Herkes, Brower, Finnegan, McKelvey and Tsuji.

3397 "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF HAWAII TO CREATE A FOUR-YEAR DEGREE PROGRAM IN HISTORIC PRESERVATION."

Introduced by: Representatives Ching, Brower, Cabanilla, Evans, Marumoto, McKelvey, Takai, Awana, Finnegan, Mizuno, Nishimoto, Say, Sonson, Souki, Tsuji, Wakai, Ward and Yamashita.

3398 "A BILL FOR AN ACT RELATING TO FOREIGN LANGUAGE PROGRAMS."

Introduced by: Representatives Manahan, Chang and Magaoay.

3399 "A BILL FOR AN ACT RELATING TO CHAPTER 346, HAWAII REVISED STATUTES."

Introduced by: Representative Finnegan.

3400 "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE."

Introduced by: Representative Shimabukuro.

3401 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING DEVELOPMENT."

Introduced by: Representative Shimabukuro.

3402 "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE."

Introduced by: Representative Shimabukuro.

3403 "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING."

Introduced by: Representative Shimabukuro.

3404 "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES."

Introduced by: Representatives Souki and Mizuno.

3405 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE EIGHTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Souki.

3406 "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS MODERNIZATION."

Introduced by: Representatives Souki, Nishimoto, Say and M. Oshiro.

3407 "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS."

Introduced by: Representative Souki.

3408 "A BILL FOR AN ACT RELATING TO FOOD DISTRIBUTION."

Introduced by: Representatives Awana, Chong, Evans, Ito, McKelvey, Shimabukuro, Sonson, Takumi and Yamashita.

3409 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Awana, Mizuno, Shimabukuro, Cabanilla and Tokioka.

3410 "A BILL FOR AN ACT RELATING TO BIODIESEL."

Introduced by: Representatives Carroll and Hanohano.

3411 "A BILL FOR AN ACT RELATING TO BLUE ANGEL FALLS."

Introduced by: Representative Carroll.

3412 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE THIRTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Carroll.

3413 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HEALTH."

Introduced by: Representatives Carroll, Hanohano and McKelvey.

3414 "A BILL FOR AN ACT RELATING TO ULAINO ROAD ON MAUI."

Introduced by: Representatives Carroll, Hanohano and McKelvey.

3415 "A BILL FOR AN ACT RELATING TO PUBLIC ROADS."

Introduced by: Representatives Carroll, Hanohano and McKelvey.

3416 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE TENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative McKelvey.

3417 "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE."

Introduced by: Representatives Hanohano, Carroll and McKelvey.

3418 "A BILL FOR AN ACT RELATING TO THE TRANSFER OF INVASIVE SPECIES REGULATION."

Introduced by: Representatives Yamashita and Tsuji.

3419 "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES."

Introduced by: Representative Green.

3420 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Carroll, Berg, Bertram, Chong, Evans, Hanohano, McKelvey, Morita, Sagum, Shimabukuro and Waters.

3421 "A BILL FOR AN ACT RELATING TO LAND USE."

Introduced by: Representatives Carroll, Awana, Berg, Bertram, Chong, Evans, Hanohano, Morita, Shimabukuro, Waters, Brower, Lee and Sagum.

3422 "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES."

Introduced by: Representatives Shimabukuro, Bertram, McKelvey, Morita, Berg, Chong, Evans and Sagum.

3423 "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR TARO RESEARCH, DOCUMENTATION, AND OUTREACH FOR THE CONTROL OF THE INVASIVE APPLE SNAIL."

Introduced by: Representatives Carroll, Berg, Bertram, Chong, Evans, Hanohano, McKelvey, Morita, Shimabukuro, Tsuji, Waters, Yamashita and Sagum.

3424 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Carroll, Berg, Bertram, Chong, Evans, Hanohano, McKelvey, Morita, Sagum, Shimabukuro and Waters.

3425 "A BILL FOR AN ACT RELATING TO TARO"

Introduced by: Representatives Carroll, Berg, Bertram, Chong, Evans, Hanohano, McKelvey, Morita, Shimabukuro, Waters and Sagum.

3426 "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING."

Introduced by: Representatives Awana, Berg, Bertram, Carroll, Evans, Green, Hanohano, Har, Mizuno, Morita, B. Oshiro, Shimabukuro, Takumi, Waters, Chong, McKelvey, Sagum and Say.

3427 "A BILL FOR AN ACT RELATING TO HOUSING."

Introduced by: Representatives Shimabukuro, McKelvey, Morita, Waters, Chong, Evans and Sagum.

3428 "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE."

Introduced by: Representatives Carroll, Berg, Bertram, Chong, Evans, Hanohano, McKelvey, Morita, Shimabukuro, Sagum and Waters.

3429 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Hanohano, Berg, Bertram, Carroll, Evans, Morita, Shimabukuro, Waters, Chong, McKelvey and Sagum.

3430 "A BILL FOR AN ACT RELATING TO TARO."

Introduced by: Representatives Shimabukuro, Carroll, Hanohano, McKelvey and Waters.

3431 "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION."

Introduced by: Representatives Carroll, Awana, Berg, Bertram, Brower, Hanohano, McKelvey, Waters, Chong, Evans, Lee, Manahan, Sagum and Yamashita.

3432 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Shimabukuro, Hanohano, McKelvey, Morita, Chong and Evans.

3433 "A BILL FOR AN ACT RELATING TO EDUCATION."

Introduced by: Representatives Carroll, Berg, Bertram, Hanohano, McKelvey, Morita, Shimabukuro, Waters, Chong, Evans and Sagum.

3434 "A BILL FOR AN ACT RELATING TO CEDED LANDS."

Introduced by: Representatives Awana, Carroll and Hanohano.

3435 "A BILL FOR AN ACT RELATING TO THE EAST MAUI COMMUNITY-BASED SUBSISTENCE FISHING AREA."

Introduced by: Representatives Carroll, McKelvey, Waters, Evans, Hanohano and Sagum.

3436 "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII."

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

3437 "A BILL FOR AN ACT RELATING TO EMPLOYMENT."

Introduced by: Representatives Cabanilla, Awana, Brower, Manahan, Mizuno and Sonson.

3438 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Cabanilla, Awana, Mizuno, Brower and Souki.

3439 "A BILL FOR AN ACT RELATING TO HEALTH."

Introduced by: Representatives Cabanilla, Awana, Mizuno, Sonson and Brower.

3440 "A BILL FOR AN ACT RELATING TO THE ISLAND OF NI‘IHAU"

Introduced by: Representatives Tokioka, Ito, Morita and Sagum.

3441 "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES."

Introduced by: Representatives Morita, Awana, Caldwell, M. Oshiro, Shimabukuro, Takai and Wakai.

3442 "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY."

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

3443 "A BILL FOR AN ACT RELATING TO TAXATION."

Introduced by: Representative Morita.

3444 "A BILL FOR AN ACT RELATING TO ENERGY."

Introduced by: Representatives Morita, Caldwell, Carroll, Karamatsu, Nishimoto, Rhoads, Shimabukuro, Takai, Takumi, Wakai and Sagum.

3445 "A BILL FOR AN ACT RELATING TO WATER."

Introduced by: Representatives Morita, Awana, Carroll, Hanohano, McKelvey, Karamatsu, Rhoads and Tokioka.

3446 "A BILL FOR AN ACT RELATING TO CRIME."

Introduced by: Representatives Ward, Cabanilla, Ching, Marumoto, Wakai, Ito, McKelvey, Shimabukuro, Souki, Tsuji and Yamashita.

3447 "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS."

Introduced by: Representatives Finnegan, Awana, Ching, Hanohano, Herkes, Marumoto, Meyer, Pine, Sonson, Takai, Wakai, Ward, Brower, Evans, Karamatsu, McKelvey, Sagum, Shimabukuro, Souki and Tsuji.

3448 "A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS FOR THE BENEFIT OF THE SEVENTEENTH REPRESENTATIVE DISTRICT."

Introduced by: Representative Ward.

3449 "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING."

Introduced by: Representatives Ward, Cabanilla, Ching, Evans, Finnegan, Ito, Marumoto, McKelvey, Rhoads, Berg, Herkes, Karamatsu, Morita, Shimabukuro, Tsuji and Yamashita.

3450 "A BILL FOR AN ACT RELATING TO VEHICLE IGNITION INTERLOCK SYSTEMS."

Introduced by: Representatives Ward, Ching, Herkes, Meyer, McKelvey, Awana and Rhoads.

3451 "A BILL FOR AN ACT RELATING TO CHAPTER 343, HAWAII REVISED STATUTES."

Introduced by: Representatives Ward, Ching, McKelvey, Meyer and Awana.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 51) and concurrent resolutions (H.C.R. Nos. 52 through 56) were referred to Printing and further action was deferred:

H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," was offered by Representative Green.

H.C.R. No. 52, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW OF GEOLOGIST LICENSURE," was offered by Representative Berg.

H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," was offered by Representative Green.

H.C.R. No. 54, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PEOPLE, BUSINESSES, AND COMMUNITY ORGANIZATIONS OF HAWAII TO PARTICIPATE IN GRASS-ROOTS PROGRAMS SUPPORTING MILITARY PERSONNEL AND THEIR FAMILIES," was offered by Representative Say, by request.

H.C.R. No. 55, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE LEASE OF EASEMENT COVERING PORTION OF SUBMERGED LANDS AT HONOULIULI, EWA, OAHU, FOR DRAINAGE CHANNEL PURPOSES," was offered by Representative Say, by request.

H.C.R. No. 56, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING CONCRETE PILLARS AND IMPROVEMENTS PURPOSES," was offered by Representative Say, by request.

ANNOUNCEMENTS

Representative Green: "Thank you, Mr. Speaker. Just a little present on everyone's desk today from my wife and I, commemorating an important day in our lives. We want you to open them. They taste good. But thank you for indulging me this little gift to you. Thank you, Mr. Speaker."

Representative Evans: "Thank you, Mr. Speaker. In the Order of the Day today, it shows that the Committee on Public Safety & Military Affairs has an informational briefing tomorrow morning. But what didn't appear and I don't know why, because I checked with my office and it did get filed, but we have from 2:30 to 4:30 an informational briefing tomorrow afternoon for the Committee on Public Safety & Military Affairs on the budget for the Department of Defense. Thank you."

Representative Ward: "Mr. Speaker, a point of information from the good doctor from Kona, that he might name the occasion so that we might applaud him, or beat him, or toast him."

Representative Green: "Thank you. It's my daughter's first birthday."

At this time, Representative B. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving bills for introduction, seconded by Representative Meyer and carried.

At 12:11 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 12:00 o'clock noon, Friday, January 25, 2008.

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon, Friday, January 25, 2008.

SIXTH DAY

Friday, January 25, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mr. Troy Andrade, from Representative Ken Ito's office, after which the Roll was called showing all members present with the exception of Representative Waters, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 219 through 222) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 219, dated January 23, 2008, transmitting the Report Pursuant to S.C.R. No. 117, S.D. 1, H.D. 1, Regarding the Final Report of the Task Force Convened to Evaluate and Recommend Possible Procedural, Statutory, and Public Policy Changes to Minimize the Census at Hawaii State Hospital and Promote Community-Based Health Services for Forensic Patients.

Gov. Msg. No. 220, dated January 17, 2008, transmitting the Annual Report on Correctional Industries.

Gov. Msg. No. 221, dated January 17, 2008, transmitting the Annual Report on Criminal Offender Treatment Act.

Gov. Msg. No. 222, dated January 23, 2008, transmitting the report on Protecting the Livestock Industry in Hawaii.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 37 through 46) were received by the Clerk and were placed on file:

Dept. Com. No. 37, dated January 22, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on Transfer of Appropriated Funds and Positions.

Dept. Com. No. 38, dated January 18, 2008, from Georgina Kawamura, Director of Finance, Department of Budget and Finance, transmitting the Executive Supplemental Budget for the Period 2007-09, pursuant to Section 37-72, HRS, Supplemental Budget; and the Variance Report for FYs 2007-08, pursuant to Section 37-75, HRS, Variance Report.

Dept. Com. No. 39, dated January 16, 2008, from David McClain, President, University of Hawai'i System, transmitting the Early College Awareness Programs for Elementary, Middle and High School Students.

Dept. Com. No. 40, dated January 15, 2008, from David McClain, President, University of Hawai'i System, transmitting the Report on Workforce Preparation and Workforce Shortage Areas for 2008.

Dept. Com. No. 41, dated January 15, 2008, from David McClain, President, University of Hawai'i System, transmitting Annual Report on Hawai'i P-20 Initiative and Plans for Education in the Twenty-First Century.

Dept. Com. No. 42, dated January 16, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report of University of Hawai'i, All Revenue Bonds Issued.

Dept. Com. No. 43, dated January 16, 2008, from David McClain, President, University of Hawai'i System, transmitting the Report on the Tuition Waiver Program 2006-07 and Student Scholarship and Assistance Special Fund 2006-07.

Dept. Com. No. 44, dated January 15, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on University of Hawai'i Risk Management Special Fund.

Dept. Com. No. 45, dated January 15, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on the Construction Academy Curriculum.

Dept. Com. No. 46, dated January 15, 2008, from David McClain, President, University of Hawai'i System, transmitting the Annual Report on University of Hawai'i Special, Revolving, and Trust Funds.

INTRODUCTIONS

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

Students of the Future Leaders Exchange Program and Youth Exchange Student Program were introduced by the following Representatives:

Representative Tsuji introduced Ms. Madiha Shahzad from Pakistan attending Kea'au High School. She was accompanied by his staff, Ms. Malina Iida and Mr. Justin Stern.

Representative Bertram introduced Ms. Sumaiya Azad from Bangladesh attending Kea'au High School.

Representative Evans introduced Mr. Nayef Abuelkeshek from Jordan attending Hilo High School.

Representative Cabanilla introduced Ms. Tatyana Koshkina from Russia attending King Kekaulike High School.

Representative Ward introduced Ms. Aigerim Bostangaliyeva from Kazakhstan attending Waianae High School.

Representative Morita introduced Ms. Jinane Bakhounimaksoud from Lebanon attending Honoka'a High School.

Representative Manahan introduced Mr. Moisey Tarekegn from Russia attending Konawaena High School. He was accompanied by his staff, Mr. Allan Garcia.

Representative Har introduced Mr. Alla Mohsen from Yemen attending Radford High School. He was accompanied by her Committee Clerk, Mr. En Young.

Representative Berg introduced Ms. Enasa Alalem from the Gaza Strip attending Kea'au High School. She was accompanied by her Office Manager, Ms. Jen Wilbur.

Representative Lee introduced Mr. Hasan Azzeh from Jordan attending Christian Liberty Academy. He was accompanied by her staff, Ms. Linda Tanaka.

Representative Marumoto introduced Ms. Anna Shelpyakova from Russia attending Kaiser High School.

Representative Carroll introduced Ms. Zohra Souei from Tunisia attending Parker School.

Representative Mizuno introduced Mr. Nabil Chahbani from Morocco attending Waianae High School. He was accompanied by his staff, Dr. Leolani Oyama.

Representative Sagum introduced former Representative Ezra Kanoho from Kauai, and Mr. Dave Peters from the Hawaii Health System Corporation.

Representative Green introduced members of the Community Health Centers, statewide:

Mr. Paul Strauss
Ms. Tanya Aynessasian
Ms. Dana Alonzo-Howeth
Ms. Susan Hunt
Ms. Cheryl Vasconcellos
Mr. David Peters
Mr. Ezra Kanoho
Mr. Kilipaki Vaughan
Mr. Chuck Braden
Mr. Deacon Hanson
Ms. Winona Kinoha
Ms. Maria Pacheco
Mr. Gerry Meade
Mr. David Dearuf
Mr. Emmanuel Kintu
Ms. Jina Lee Lawler
Mr. Joe Kalipi
Ms. Judy Caparida
Ms. Lynette Schafer
Mr. Moses Luczon
Mr. Jeff Kaplan
Mr. Phil Kinnicut
Mr. Jim Wood
Ms. May Akamine
Mr. Richard Taaffe
Ms. Gayle Hunt
Ms. Penny Ines
Ms. Helen Alton

Representative Marumoto introduced former staff attorney with the House Minority Research Office, Mr. Robert Steinert, and his wife Mrs. Janet Steinert who were visiting from Vermont.

Representative Morita introduced Mr. Maurice Kaya with the Department of Business, Economic Development and Tourism's Strategic Industries Division and congratulated him on his retirement and thanked him for his many years of service. He was accompanied by his wife, Mrs. Kaya.

Representative Carroll introduced Mr. Ted Liu, Director of the Department of Business, Economic Development and Tourism, and the Department's staff.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

H.B. Nos.	Referred to:
2818	Committee on Higher Education, then to the Committee on Finance
2819	Committee on Tourism & Culture, then to the Committee on Judiciary
2820	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance
2821	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2822	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2823	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2824	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2825	Committee on Energy & Environmental Protection, then to the Committee on Finance
2826	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2827	Committee on Labor & Public Employment, then to the Committee on Finance
2828	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2829	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary
2830	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary
2831	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2832	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2833	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2834	Committee on Finance
2835	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2836	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2837	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2838	Committee on Energy & Environmental Protection, then to the Committee on Finance

2839 Committee on Energy & Environmental Protection, then to the Committee on Finance

2840 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2841 Committee on Judiciary, then to the Committee on Finance

2842 Committee on Finance

2843 Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Finance

2844 Jointly to the Committee on Transportation and the Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2845 Committee on Human Services & Housing, then to the Committee on Judiciary

2846 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2847 Committee on Transportation, then to the Committee on Judiciary

2848 Committee on Labor & Public Employment, then to the Committee on Finance

2849 Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2850 Committee on Labor & Public Employment, then to the Committee on Finance

2851 Committee on Finance

2852 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2853 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2854 Committee on Health, then to the Committee on Transportation, then to the Committee on Judiciary

2855 Committee on Transportation, then to the Committee on Finance

2856 Committee on Transportation, then to the Committee on Finance

2857 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2858 Committee on Agriculture, then to the Committee on Finance

2859 Committee on Health, then to the Committee on Finance

2860 Committee on Economic Development & Business Concerns, then to the Committee on Transportation, then to the Committee on Finance

2861 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2862 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2863 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2864 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

2865 Committee on Judiciary, then to the Committee on Finance

2866 Committee on Judiciary, then to the Committee on Finance

2867 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2868 Committee on Transportation, then to the Committee on Finance

2869 Committee on Health

2870 Committee on Health

2871 Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

2872 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2873 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2874 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2875 Jointly to the Committee on Health and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2876 Committee on Consumer Protection & Commerce, then to the Committee on Finance

2877 Committee on Education, then to the Committee on Finance

2878 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

2879 Committee on Education, then to the Committee on Judiciary

2880 Committee on Finance

2881 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

2882 Committee on Judiciary

2883 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2884 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2885 Committee on Health, then to the Committee on Finance

2886 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2887 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2888 Committee on Health, then to the Committee on Finance

2889 Committee on Human Services & Housing, then to the Committee on Finance

2890 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance

2891 Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2892 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

2893 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2894 Committee on Consumer Protection & Commerce

2895 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2896 Committee on Labor & Public Employment, then to the Committee on Human Services & Housing, then to the Committee on Finance

2897 Committee on Human Services & Housing, then to the Committee on Finance

2898 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2899 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2900 Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2901 Committee on Health, then to the Committee on Consumer Protection & Commerce

2902 Committee on Health, then to the Committee on Finance

2903 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2904 Committee on Human Services & Housing, then to the Committee on Finance

2905 Committee on Higher Education, then to the Committee on Finance

2906 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2907 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2908 Committee on Legislative Management, then to the Committee on Finance

2909 Committee on Tourism & Culture, then to the Committee on Finance

2910 Committee on Labor & Public Employment, then to the Committee on Judiciary

2911 Committee on Labor & Public Employment, then to the Committee on Judiciary

2912 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2913 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2914 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2915 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

2916 Committee on Health, then to the Committee on Public Safety & Military Affairs

2917 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation, then to the Committee on Finance

2918 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2919 Committee on Energy & Environmental Protection, then to the Committee on Tourism & Culture, then to the Committee on Transportation

2920 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2921 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2922 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2923 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2924 Committee on Health, then to the Committee on Finance

2925 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2926 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2927 Committee on Labor & Public Employment, then to the Committee on Finance

2928 Committee on Finance

2929 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2930 Committee on Labor & Public Employment, then to the Committee on Finance

2931 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2932 Committee on Higher Education, then to the Committee on Finance

2933 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2934 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

2935 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2936 Committee on Finance

2937 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

2938 Committee on Energy & Environmental Protection, then to the Committee on Finance

2939 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2940 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

2941 Committee on Finance

2942 Committee on Finance

2943 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2944 Committee on Finance

2945 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2946 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2947 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2948 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2949 Committee on Finance

2950 Committee on Judiciary

2951 Committee on Transportation, then to the Committee on Finance

2952 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2953 Committee on Transportation, then to the Committee on Judiciary

2954 Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2955 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2956 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2957 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2958 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2959 Jointly to the Committee on Education and the Committee on Higher Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

2960 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2961 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2962 Committee on Education, then to the Committee on Finance

2963 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2964 Committee on Labor & Public Employment, then to the Committee on Finance

2965 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2966 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2967 Committee on Judiciary, then to the Committee on Finance

2968 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2969 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

2970 Committee on Judiciary

2971 Committee on Education, then to the Committee on Finance

2972 Committee on Education, then to the Committee on Finance

2973 Committee on Education, then to the Committee on Finance

2974 Committee on Labor & Public Employment, then to the Committee on Finance

2975 Committee on Labor & Public Employment, then to the Committee on Finance

2976 Committee on Higher Education, then to the Committee on Tourism & Culture, then to the Committee on Finance

2977 Committee on Agriculture, then to the Committee on Finance

2978 Committee on Higher Education, then to the Committee on Finance

2979 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2980 Committee on Higher Education, then to the Committee on Finance

2981 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2982 Committee on Finance

2983 Committee on Economic Development & Business Concerns, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

2984 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2985 Committee on Tourism & Culture, then to the Committee on Finance

2986 Committee on Tourism & Culture, then to the Committee on Higher Education, then to the Committee on Finance

2987 Committee on Energy & Environmental Protection, then to the Committee on Finance

2988 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2989 Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance

2990 Committee on Human Services & Housing, then to the Committee on Finance

2991 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2992 Committee on Transportation, then to the Committee on Finance

2993 Committee on Education, then to the Committee on Health, then to the Committee on Finance

2994 Committee on Judiciary

2995 Committee on Finance

2996 Committee on Higher Education, then to the Committee on Finance

2997 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2998 Committee on Judiciary, then to the Committee on Finance

2999 Committee on Judiciary

3000 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

3001 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

3002 Committee on Judiciary

3003 Committee on Transportation, then to the Committee on Finance

3004 Committee on Transportation, then to the Committee on Finance

3005 Committee on Transportation, then to the Committee on Judiciary

3006 Committee on Transportation, then to the Committee on Judiciary

3007 Committee on Human Services & Housing, then to the Committee on Judiciary

3008 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3009 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3010 Committee on Health, then to the Committee on Judiciary

3011 Committee on Transportation, then to the Committee on Judiciary

3012 Committee on Judiciary

3013 Committee on Judiciary

3014 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3015 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3016 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3017 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3018 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3019 Committee on Public Safety & Military Affairs, then to the Committee on Finance

3020 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3021 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3022 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3023 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Judiciary

3024 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce

3025 Committee on Higher Education, then to the Committee on Finance

3026 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3027 Committee on Tourism & Culture, then to the Committee on Judiciary

3028 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3029 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3030 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

3031 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3032 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

3033 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

3034 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3035 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3036 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3037 Committee on Finance

3038 Committee on Finance

3039 Committee on Judiciary, then to the Committee on Finance

3040 Committee on Judiciary

3041 Committee on Judiciary

3042 Committee on Judiciary, then to the Committee on Finance

3043 Committee on Judiciary, then to the Committee on Finance

3044 Committee on Judiciary, then to the Committee on Finance

3045 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3046 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

3047 Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Finance

3048 Jointly to the Committee on Transportation and the Committee on Judiciary, then to the Committee on Finance

3049 Committee on Judiciary

3050 Committee on Judiciary

3051 Committee on Transportation, then to the Committee on Judiciary

3052 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

3053 Committee on Judiciary, then to the Committee on Finance

3054 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance

3055 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3056 Committee on Judiciary, then to the Committee on Finance

3057 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3058 Committee on Human Services & Housing, then to the Committee on Finance

3059 Committee on Human Services & Housing, then to the Committee on Finance

3060 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance

3061 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3062 Committee on Economic Development & Business Concerns, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

3063 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3064 Committee on Energy & Environmental Protection, then to the Committee on Finance

3065 Committee on Higher Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

3066 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3067 Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3068 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3069 Jointly to the Committee on Energy & Environmental Protection and the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3070 Jointly to the Committee on Energy & Environmental Protection and the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3071 Committee on Higher Education, then to the Committee on Finance

3072 Committee on Higher Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

3073 Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

3074 Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3075 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3076 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3077 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Human Services & Housing, then to the Committee on Finance

3078 Committee on Higher Education, then to the Committee on Finance

3079 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3080 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3081 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3082 Committee on Labor & Public Employment, then to the Committee on Finance

3083 Committee on Labor & Public Employment, then to the Committee on Finance

3084 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3085 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3086 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3087 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3088 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3089 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3090 Committee on Health, then to the Committee on Consumer Protection & Commerce

3091 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3092 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3093 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3094 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3095 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3096 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3097 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3098 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3099 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3100 Committee on Human Services & Housing, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3101 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3102 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3103 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3104 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3105 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3106 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3107 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3108 Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3109 Committee on Health, then to the Committee on Consumer Protection & Commerce

3110 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3111 Committee on Public Safety & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3112 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3113 Committee on Economic Development & Business Concerns, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

3114 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

3115 Committee on Public Safety & Military Affairs, then to the Committee on Finance

3116 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

3117 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

3118 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

3119 Committee on Higher Education, then to the Committee on Judiciary

3120 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3121 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

3122 Committee on Judiciary, then to the Committee on Finance

3123 Committee on Health, then to the Committee on Finance

3124 Jointly to the Committee on Education and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3125 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Human Services & Housing, then to the Committee on Finance

3126 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

3127 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3128 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3129 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3130 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3131 Committee on Human Services & Housing, then to the Committee on Judiciary

3132 Committee on Human Services & Housing, then to the Committee on Judiciary

3133 Committee on Human Services & Housing, then to the Committee on Judiciary

3134 Committee on Human Services & Housing, then to the Committee on Finance

3135 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3136 Committee on Human Services & Housing, then to the Committee on Judiciary

3137 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3138 Committee on Human Services & Housing, then to the Committee on Judiciary

3139 Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

3140 Committee on Human Services & Housing, then to the Committee on Finance

3141 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3142 Committee on Labor & Public Employment, then to the Committee on Finance

3143 Committee on Human Services & Housing, then to the Committee on Judiciary

3144 Committee on Labor & Public Employment, then to the Committee on Finance

3145 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3146 Committee on Health, then to the Committee on Finance

3147 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3148 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3149 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3150 Committee on Health, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

3151 Committee on Energy & Environmental Protection, then to the Committee on Finance

3152 Committee on Health, then to the Committee on Finance

3153 Committee on Health, then to the Committee on Judiciary

3154 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

3155 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

3156 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

3157 Committee on Health, then to the Committee on Consumer Protection & Commerce

3158 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3159 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3160 Committee on Energy & Environmental Protection, then jointly to the Committee on Tourism & Culture and the Committee on Transportation, then to the Committee on Finance

3161 Committee on Health, then to the Committee on Finance

3162 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3163 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3164 Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3165 Committee on Labor & Public Employment, then to the Committee on Finance

3166 Committee on Labor & Public Employment, then to the Committee on Finance

3167 Committee on Labor & Public Employment, then to the Committee on Finance

3168 Committee on Labor & Public Employment, then to the Committee on Finance

3169 Committee on Labor & Public Employment, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3170 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3171 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3172 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3173 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3174 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3175 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3176 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3177 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3178 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3179 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

3180 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3181 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

3182 Committee on Judiciary

3183 Committee on Judiciary

3184 Committee on Labor & Public Employment, then to the Committee on Finance

3185 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3186 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3187 Committee on Public Safety & Military Affairs, then to the Committee on Finance

3188 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

3189 Committee on Human Services & Housing, then to the Committee on Finance

3190 Committee on Finance

3191 Committee on Finance

3192 Committee on Finance

3193 Committee on Finance

3194 Committee on Human Services & Housing, then to the Committee on Finance

3195 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3196 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3197 Committee on Transportation, then to the Committee on Finance

3198 Committee on Transportation, then to the Committee on Judiciary

3199 Committee on Transportation, then to the Committee on Judiciary

3200 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

3201 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3202 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3203 Committee on Transportation, then to the Committee on Judiciary

3204 Jointly to the Committee on Higher Education and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3205 Committee on Higher Education, then to the Committee on Finance

3206 Committee on Higher Education, then to the Committee on Finance

3207 Committee on Higher Education, then to the Committee on Finance

3208 Committee on Health, then to the Committee on Consumer Protection & Commerce

3209 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

3210 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3211 Committee on Energy & Environmental Protection, then to the Committee on Human Services & Housing, then to the Committee on Finance

3212 Committee on Education, then to the Committee on Finance

3213 Committee on Energy & Environmental Protection, then to the Committee on Finance

3214 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

3215 Committee on Education, then to the Committee on Finance

3216 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3217 Committee on Human Services & Housing, then to the Committee on Finance

3218 Committee on Education, then to the Committee on Finance

3219 Committee on Education, then to the Committee on Finance

3220 Committee on Education, then to the Committee on Judiciary

3221 Committee on Education, then to the Committee on Finance

3222 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3223 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

3224 Committee on Finance

3225 Committee on Transportation, then to the Committee on Judiciary

3226 Committee on Higher Education, then to the Committee on Judiciary

3227 Committee on Higher Education, then to the Committee on Finance

3228 Committee on Transportation, then to the Committee on Judiciary

3229 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3230 Committee on Finance

3231 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3232 Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance

3233 Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

3234 Committee on Finance

3235 Committee on Human Services & Housing, then to the Committee on Judiciary

3236 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3237 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3238 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3239 Committee on Finance

3240 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3241 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3242 Committee on Health, then to the Committee on Judiciary

3243 Committee on Tourism & Culture, then to the Committee on Finance

3244 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3245 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3246 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3247 Committee on Labor & Public Employment, then to the Committee on Finance

3248 Committee on Finance

3249 Committee on Transportation, then to the Committee on Judiciary

3250 Committee on Finance

3251 Committee on Transportation, then jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3252 Committee on Higher Education, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Finance

3253 Committee on Finance

3254 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3255 Committee on Economic Development & Business Concerns, then to the Committee on Transportation, then to the Committee on Finance

3256 Committee on Education, then to the Committee on Finance

3257 Committee on Education, then to the Committee on Finance

3258 Committee on Education, then to the Committee on Finance

3259 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3260 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3261 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

3262 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3263 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3264 Committee on Finance

3265 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3266 Committee on Education, then to the Committee on Judiciary

3267 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3268 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Finance

3269 Committee on Transportation, then to the Committee on Finance

3270 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

3271 Committee on Labor & Public Employment, then to the Committee on Finance

3272 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3273 Committee on Transportation, then to the Committee on Judiciary

3274 Committee on Health, then to the Committee on Finance

3275 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3276 Committee on Economic Development & Business Concerns, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3277 Jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3278 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3279 Committee on Tourism & Culture, then to the Committee on Finance

3280 Committee on Higher Education, then to the Committee on Finance

3281 Committee on Finance

3282 Committee on Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

3283 Committee on Transportation, then to the Committee on Finance

3284 Committee on Tourism & Culture, then to the Committee on Judiciary, then to the Committee on Finance

3285 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3286 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

3287 Committee on Labor & Public Employment, then to the Committee on Finance

3288 Committee on Education, then to the Committee on Finance

3289 Jointly to the Committee on International Affairs and the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Education, then to the Committee on Finance

3290 Committee on Labor & Public Employment, then to the Committee on International Affairs, then to the Committee on Finance

3291 Committee on Finance

3292 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3293 Committee on Judiciary, then to the Committee on Finance

3294 Committee on Judiciary, then to the Committee on Finance

3295 Committee on Finance

3296 Committee on Judiciary, then to the Committee on Finance

3297 Committee on Judiciary, then to the Committee on Finance

3298 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3299 Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

3300 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3301 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3302 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3303 Committee on Human Services & Housing, then to the Committee on Finance

3304 Jointly to the Committee on Agriculture and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance

3305 Committee on Consumer Protection & Commerce

3306 Committee on Agriculture

3307 Committee on Agriculture

3308 Committee on Agriculture

3309 Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance

3310 Committee on Agriculture, then to the Committee on Finance

3311 Committee on Higher Education, then to the Committee on Finance

3312 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3313 Committee on Legislative Management, then to the Committee on Finance

3314 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Higher Education, then to the Committee on Finance

3315 Committee on Finance

3316 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3317 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3318 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

3319 Jointly to the Committee on Health and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

3320 Committee on Health, then jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

3321 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3322 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

3323 Committee on Transportation, then to the Committee on Judiciary

3324 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3325 Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3326 Committee on Health, then to the Committee on Finance

3327 Committee on Energy & Environmental Protection, then to the Committee on Human Services & Housing, then to the Committee on Finance

3328 Committee on Labor & Public Employment, then to the Committee on Judiciary

3329 Committee on Finance

3330 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3331 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3332 Committee on Health, then to the Committee on Consumer Protection & Commerce

3333 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3334 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns

3335 Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Education, then to the Committee on Finance

3336 Committee on Finance

3337 Committee on Health, then to the Committee on Transportation, then to the Committee on Finance

3338 Committee on Education, then to the Committee on Finance

3339 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3340 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3341 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance

3342 Committee on Agriculture, then to the Committee on Finance

3343 Committee on International Affairs, then to the Committee on Tourism & Culture

3344 Committee on Education, then to the Committee on Finance

3345 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance

3346 Committee on Public Safety & Military Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3347 Committee on Health, then to the Committee on Finance

3348 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3349 Committee on Finance

3350 Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

3351 Committee on Judiciary, then to the Committee on Finance

3352 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

3353 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3354 Committee on Education, then to the Committee on Tourism & Culture, then to the Committee on Finance

3355 Committee on Judiciary

3356 Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3357 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3358 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3359 Committee on Agriculture, then to the Committee on Finance

3360 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3361 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3362 Committee on Human Services & Housing, then to the Committee on Judiciary

3363 Committee on Human Services & Housing, then to the Committee on Education, then to the Committee on Judiciary

3364 Jointly to the Committee on Human Services & Housing and the Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

3365 Committee on Judiciary

3366 Committee on Tourism & Culture, then to the Committee on Judiciary

3367 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3368 Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

3369 Committee on Judiciary, then to the Committee on Finance

3370 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

3371 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance

3372 Committee on Human Services & Housing, then to the Committee on Judiciary

3373 Jointly to the Committee on Health and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3374 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary

3375 Committee on Higher Education

3376 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3377 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3378 Committee on Finance

3379 Committee on Human Services & Housing, then to the Committee on Judiciary

3380 Committee on Judiciary, then to the Committee on Finance

3381 Committee on Tourism & Culture, then to the Committee on Finance

3382 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3383 Committee on Judiciary

3384 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3385 Committee on Human Services & Housing, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3386 Committee on Judiciary, then to the Committee on Finance

3387 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

3388 Committee on Finance

3389 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3390 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3391 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3392 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

3393 Committee on Finance

3394 Committee on Tourism & Culture, then to the Committee on Higher Education, then to the Committee on Finance

3395 Committee on Economic Development & Business Concerns, then to the Committee on Finance

3396 Committee on Health, then to the Committee on Judiciary

3397 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

3398 Committee on International Affairs, then to the Committee on Higher Education, then to the Committee on Finance

3399 Committee on Human Services & Housing, then to the Committee on Finance

3400 Committee on Human Services & Housing, then to the Committee on Finance

3401 Committee on Human Services & Housing, then to the Committee on Finance

3402 Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

3403 Committee on Human Services & Housing, then to the Committee on Finance

3404 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3405 Committee on Finance

3406 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3407 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3408 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce

3409 Committee on Human Services & Housing, then to the Committee on Finance

3410 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

3411 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3412 Committee on Finance

3413 Committee on Health, then to the Committee on Finance

3414 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3415 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3416 Committee on Finance

3417 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3418 Committee on Agriculture, then to the Committee on Finance

3419 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3420 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance

3421 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

3422 Committee on Judiciary, then to the Committee on Finance

3423 Committee on Agriculture, then to the Committee on Finance

3424 Committee on Agriculture, then to the Committee on Finance

3425 Committee on Agriculture, then to the Committee on Finance

3426 Committee on Public Safety & Military Affairs, then to the Committee on Finance

3427 Committee on Human Services & Housing, then to the Committee on Finance

3428 Committee on Tourism & Culture, then to the Committee on Legislative Management, then to the Committee on Finance

3429 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3430 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3431 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3432 Committee on Education, then to the Committee on Finance

3433 Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3434 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

3435 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3436 Committee on Higher Education, then to the Committee on Finance

3437 Jointly to the Committee on Labor & Public Employment and the Committee on Human Services & Housing, then to the Committee on Finance

3438 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3439 Committee on Health, then to the Committee on Finance

3440 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3441 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3442 Committee on Energy & Environmental Protection, then to the Committee on Finance

3443 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3444 Committee on Energy & Environmental Protection, then to the Committee on Finance

3445 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3446 Committee on Judiciary, then to the Committee on Finance

3447 Committee on Education, then to the Committee on Finance

3448 Committee on Finance

3449 Committee on Human Services & Housing, then to the Committee on Judiciary

3450 Jointly to the Committee on Transportation and the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance

3451 Committee on Energy & Environmental Protection, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
4	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2001	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2011	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2013	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2015	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2016	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2065	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2260	Committee on Finance
2309	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2317	Committee on Finance
2345	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2364	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2389	Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance
2436	Committee on Tourism & Culture, then to the Committee on Judiciary
2445	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2450	Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
2737	Committee on Finance
2748	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1-08) recommending that H.B. No. 2023, pass Second Reading and be referred to the Committee on Higher Education.

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2023, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative B. Oshiro

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

"Mr. Speaker, I just want to rise in strong support. I want to briefly acknowledge the hard work of the Chair of Health in continuing to attack aggressively our ice problem in Hawaii which remains hidden under the news, but yet is the stem of many of our problems that do make the news. So thank you again. In strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2023, entitled: "A BILL FOR AN ACT RELATING TO DRUG ADDICTION TREATMENT," passed Second Reading and was referred to the Committee on Higher Education.

At 12:31 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:31 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 2-08) recommending that H.B. No. 2688, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2688, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Second Reading, and was placed on the calendar for Third Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 52) and concurrent resolutions (H.C.R. Nos. 57 and 58) were referred to Printing and further action was deferred:

H.R. No. 52, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT A PERMANENT MEMORIAL HONORING HENRY OBOOKIAH ON THE GROUNDS OF THE STATE CAPITOL," was jointly offered by Representatives Awana, Hanohano, Ito, Manahan, Marumoto, Mizuno, Nishimoto, Sonson, Yamashita and Tokioka.

H.C.R. No. 57, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO ADDRESS THE ISSUE OF SHARING CRIMINAL BACKGROUND INFORMATION BETWEEN THE FEDERAL AND STATE GOVERNMENT," was jointly offered by Representatives Pine, Ching, Evans, Finnegan, Green, Marumoto, McKelvey, Meyer, Thielen, Berg, Carroll, Lee, Magaoay, Nishimoto, Rhoads, Say and Shimabukuro.

H.C.R. No. 58, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO SUPPORT A PERMANENT MEMORIAL HONORING HENRY OBOOKIAH ON THE GROUNDS OF THE STATE CAPITOL," was jointly offered by Representatives Awana, Carroll, Hanohano, Ito, Manahan, Marumoto, Mizuno, Sonson, Yamashita and Tokioka.

ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, January 28, 2008.

SEVENTH DAY

Monday, January 28, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:04 o'clock p.m., with the Speaker presiding.

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

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 223 through 229) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 223, dated January 24, 2008, transmitting the Report Pursuant to Section 2 of Act 219 Session Laws of Hawaii 2007, Requiring a Report by the Maui Health Initiative Task Force.

Gov. Msg. No. 224, dated January 24, 2008, transmitting the Hawaii Community Development Authority's Annual Report for fiscal year ending June 30, 2007.

Gov. Msg. No. 225, dated January 16, 2008, transmitting the Governor's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007.

Gov. Msg. No. 226, dated January 15, 2008, transmitting the Director of Finance's reports pursuant to provisions of Act 213, SLH 2007, the General Appropriations Act of 2007.

Gov. Msg. No. 227, dated January 24, 2008, transmitting the Report to the Legislature, Pursuant to SECTION 196-41, Act 95, Session Laws of Hawaii 2004.

Gov. Msg. No. 228, dated January 23, 2008, informing that pursuant to Act 213 (2007), Part 7, Section 187, Relating to the State Budget, there were no uses of this proviso during the previous twelve month period to pay settlements and judgments.

Gov. Msg. No. 229, dated January 25, 2008, transmitting the Hawaii State Public Library System's Annual Report for fiscal year ending June 30, 2007.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
4	Committee on Transportation, then to the Committee on Public Safety & Military Affairs
5	Committee on Tourism & Culture
6	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
7	Committee on Health
8	Committee on Higher Education, then to the Committee on Health
9	Committee on Judiciary
10	Committee on Tourism & Culture
11	Committee on Health, then to the Committee on Economic Development & Business Concerns
12	Committee on Health
13	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
14	Committee on Judiciary, then to the Committee on Finance
15	Committee on Tourism & Culture
16	Committee on Human Services & Housing, then to the Committee on International Affairs
17	Committee on International Affairs
18	Jointly to the Committee on Human Services & Housing and the Committee on Health
19	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
20	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
21	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
22	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
23	Committee on Human Services & Housing, then to the Committee on Judiciary
24	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
25	Committee on Health
26	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
27	Committee on Transportation
28	Committee on Transportation
29	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
30	Committee on Human Services & Housing, then to the Committee on Labor & Public Employment
31	Committee on Education, then to the Committee on Judiciary

32	Committee on Education
33	Committee on Health
34	Jointly to the Committee on Education and the Committee on Health
35	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
36	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Education
37	Committee on Education, then to the Committee on Health, then to the Committee on Finance
38	Committee on Education, then to the Committee on Tourism & Culture
39	Committee on International Affairs, then to the Committee on Judiciary
40	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance
41	Committee on Health, then to the Committee on Judiciary
42	Committee on Labor & Public Employment
43	Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance
46	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
47	Committee on Human Services & Housing, then to the Committee on Finance
48	Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance
49	Committee on Health, then to the Committee on Judiciary
50	Committee on Health, then to the Committee on Finance
51	Jointly to the Committee on Health and the Committee on Human Services & Housing
52	Committee on Tourism & Culture

H.C.R. Nos.	**Referred to:**
3	Committee on Transportation, then to the Committee on Public Safety & Military Affairs
4	Committee on Tourism & Culture
5	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
6	Committee on Health
7	Committee on Higher Education, then to the Committee on Health
8	Committee on Judiciary
9	Committee on Tourism & Culture
10	Committee on Health, then to the Committee on Economic Development & Business Concerns
11	Committee on Health
12	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
13	Committee on Judiciary, then to the Committee on Finance
14	Committee on Tourism & Culture
15	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Health, then to the Committee on Legislative Management, then to the Committee on Finance
16	Committee on Human Services & Housing, then to the Committee on International Affairs
17	Committee on International Affairs
18	Jointly to the Committee on Human Services & Housing and the Committee on Health
19	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
20	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
21	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
22	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
23	Committee on Human Services & Housing, then to the Committee on Judiciary
24	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
25	Committee on Health
26	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance
27	Committee on Transportation
28	Committee on Transportation
29	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Health, then to the Committee on Finance
30	Committee on Human Services & Housing, then to the Committee on Labor & Public Employment
31	Committee on Education, then to the Committee on Judiciary
32	Committee on Education

33 Committee on Health

34 Jointly to the Committee on Education and the Committee on Health

35 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

36 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Education

37 Committee on Education, then to the Committee on Health, then to the Committee on Finance

38 Committee on Education, then to the Committee on Tourism & Culture

39 Committee on International Affairs, then to the Committee on Judiciary

40 Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

41 Committee on Health, then to the Committee on Judiciary

42 Committee on Labor & Public Employment

43 Committee on Higher Education, then to the Committee on Legislative Management, then to the Committee on Finance

46 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

47 Committee on Human Services & Housing, then to the Committee on Finance

48 Committee on Education, then to the Committee on Legislative Management, then to the Committee on Finance

49 Committee on Health, then to the Committee on Judiciary

50 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance

51 Committee on Health, then to the Committee on Finance

52 Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

53 Jointly to the Committee on Health and the Committee on Human Services & Housing

54 Committee on Public Safety & Military Affairs

55 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

56 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

57 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

58 Committee on Tourism & Culture

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	**Re-referred to:**
2223	Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2236	Committee on Judiciary, then to the Committee on Finance
2256	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2295	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2296	Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
2330	Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance
2344	Committee on Judiciary, then to the Committee on Finance
2368	Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2407	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2433	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2439	Committee on Transportation, then to the Committee on Tourism & Culture, then to the Committee on Finance
2472	Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Energy & Environmental Protection, then to the Committee on Finance
2474	Committee on Judiciary, then to the Committee on Finance
2490	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2498	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2615	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
2678	Committee on Health, then jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Finance

2701 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary and the Committee on Finance

2806 Committee on Legislative Management, then to the Committee on Judiciary, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 3-08) recommending that H.B. No. 2034, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2034, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I rise in support of HB2034. If the outside temperature is 80 degrees, which is very common for Hawaii, the temperature inside a car under direct sunlight can reach 110 degrees after 5 minutes. When a child's body temperature reaches 106 degrees, it's fatal – that child can die or suffer permanent disability from heat stroke.

"This measure will simply make it a traffic violation, not to be mistaken with a criminal charge, and violators will only be subjected to a fine - similar to our seat belt law.

"However, the violation and fine in this measure will act as a substantial deterrent to parents, caregivers, or anyone responsible for children while driving and ultimately save lives.

"I respectfully ask all Members to support the passage of HB2034. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2034, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary.

THIRD READING

H.B. No. 2688, HD 1:

By unanimous consent, action was deferred one legislative day.

At 12:08 o'clock p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:09 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Wakai introduced the 4th grade students of Salt Lake Elementary School. They were accompanied by their teachers, Mrs. Suzanne Chung and Mrs. Heather Morishige; and chaperones, Mr. Steven Knapp and Mr. Peter Sablan.

ANNOUNCEMENT

Representative Ward: "Mr. Speaker, an unusual event took place today and I would just announce that it was of impact to all of us in terms of the future of Hawaii. It was the State of Hawaii and the federal Department of Energy, and the Energy Partnership Initiative that was announced this morning in the Governor's Office.

"It could be a historic day in that the energy independence or independence from oil, could hereafter be on the decline because it was announced that in one generation, 70 percent dependence on oil would be obviated. More important is that our own Representatives, Hermina Morita and Cynthia Thielen were very front and center of that. So I just want to put that in the record as a date to be marked for our future and our oil independence. Thank you."

ADJOURNMENT

At 12:11 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, January 29, 2008.

EIGHTH DAY

Tuesday, January 29, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Marilyn B. Lee, after which the Roll was called showing all members present with the exception of Representative Sagum, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 230 through 233) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 230, dated January 18, 2008, transmitting the Report on Mental Health Services for Committed Person as required in Act 144 (2007).

Gov. Msg. No. 231, dated January 25, 2008, transmitting the Department of Human Services' Report to the Legislature (State Pharmacy Assistance Program Report).

Gov. Msg. No. 232, dated January 25, 2008, transmitting the Department of Human Services' Report as required by Act 213, Part III, Section 55, SLH 2007.

Gov. Msg. No. 233, dated January 25, 2008, transmitting the Department of Human Services' Report as required by S.C.R. 220, S.D. 1, adopted by the 2007 Hawaii State Legislature.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 47 through 50) were received by the Clerk and were placed on file:

Dept. Com. No. 47, from the Legislative Reference Bureau, transmitting the report, A Survey of Adult Protective Services and Elder Abuse in Hawaii and Nationwide.

Dept. Com. No. 48, from the Legislative Reference Bureau, transmitting the report, Guide to Government in Hawaii (Thirteenth Edition).

Dept. Com. No. 49, from the Legislative Reference Bureau, transmitting the report, Worker's Compensation Fee Schedules, Maximum Allowable Fees and Comparative Reimbursements.

Dept. Com. No. 50, from the Legislative Reference Bureau, transmitting the report, Gimme a Break: Respite Care Services in Other States.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Takai, on behalf of Representatives Luke, Shimabukuro and Meyer, introduced the *keiki* and *kupuna* from the Tutu and Me Traveling Preschool and their State directors: Kahuanani Kalua from the Pauoa program; Gidget Antone from the Kahaluu program; and Jenny Willers from the Waianae program.

Representative Takai also introduced his friend, Mr. Terry Visperas with the Pauoa Tutu and Me program.

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

The House of Representatives reconvened at 12:25 o'clock p.m.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2162	Committee on Finance
2182	Committee on Finance
2213	Committee on Finance
2285	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2302	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2354	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Judiciary, then to the Committee on Finance
2424	Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2558	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2635	Jointly to the Committee on Energy & Environmental Protection and the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2800	Committee on Finance
2907	Committee on Finance
2991	Committee on Finance
3026	Jointly to the Committee on Education and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
3070	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
3210	Committee on Finance

3226 Committee on Higher Education, then to the Committee on Judiciary, then to the Committee on Finance

3259 Committee on Finance

3278 Committee on Finance

3341 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3345 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3350 Committee on Finance

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Berg, Sagum and Sonson were excused.)

UNFINISHED BUSINESS

H.B. No. 2688, HD 1:

Representative Caldwell moved that H.B. No. 2688, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HB 2688, the Legislative budget bill.

"We started this session giving high hopes to the people of Hawaii when we created our own ethics Committee. I was proud to be a part of creating that Committee because we sent a message to the people of Hawaii that we will no longer allow people to abuse their positions of power. That is why I am so disappointed with this budget because it goes against the very essence of what we worked so hard for. This budget unfairly and illegally discriminates against those staff members who choose to work in Republican offices by paying them $500 less than those staff members that work in Democrat offices. This very practice violates our own House Rules and code of conduct and the spirit of anti-discrimination and civil rights laws.

"According to the State of Hawaii Financial Accounting and Management Information System, the same bill funding the Legislature and its departments last year had $1.27 million that was not used. All it will take to make things right and pay Republican staff equally is $14,000. This seems so petty to withhold such a small amount and sends a message to the public that this body will punish anyone who dares to let the people of Hawaii know what really is going on in this building.

"Sadly this story evokes a familiar feeling and that is why I must vote against this budget.

"Mr. Speaker, the story of what it was like for the first generation of my Filipino plantation family has been passed down for four generations. They worked long hours in the hot sun every day for little in return. They were treated like indentured servants, slaves, bound by a contract that they were misled to sign.

"Each generation in my family vowed to never become the plantation owners and the lunas that abused their power over my family. They did so by threatening to take food or pay away from my great grandparents and their eight children. They silenced my family with the fear of starvation should they show any sign of protest on how they were treated.

"Many of our forefathers eventually fought this discrimination. They gave up every thing to create this State which gives us the right to a fair wage, and the right to free speech. Some even gave up their lives.

"This is why this budget is so wrong. How could we forget what happened to them and so soon?

"I write these words hoping that one good Democrat will read this and be ashamed of staying silent too having sold out for their $500. I write these words hoping that one good Democrat will finally recognize that they have allowed their team to become the plantation owners all over again. I hope they might actually do something about it."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of this bill. Through this bill we will fund the operations of the Legislature, Legislative Reference Bureau, State Auditor, Office of the Ombudsman, and State Ethics Commission. And, as in the past, for obvious reasons, it is one of the first bills to be approved by both the House and Senate.

"It is unfortunate that the Representative of the 43rd District still appears to not want to acknowledge facts. I spent quite a bit of time with her during a recess following the public hearing of this bill in the Finance Committee. I listened to her concerns and provided her with some simple facts. I also spent time this morning in her office to further discuss this bill with her. Certainly I do appreciate her concerns and the sentiment which drives her opposition, but it is my opinion that opposing this bill does not get her any further towards her personal goals. Moreover, I am disappointed as her arguments may be less accurate than they should be and may mislead the public.

"I also understand that Speaker Say and the Chief Clerk met with Minority Leaders, Representatives Meyer and Finnegan, and the Representative of the 43rd District, and the issue of lapsing funds appropriated for and by the Legislature was discussed. It is my understanding that several Minority Members – including the Representative of the 43rd District – insisted that the House of Representatives had $1.2 million unspent at the end of the year.

"This is simply not true. Nothing could be further from the truth.

"The truth is the House of Representatives lapsed $28,331. These are the facts, plain and simple and unclouded by any clever rhetoric.

- The Auditor lapsed $700,000
- The Auditor additionally lapsed $150,000 designated for special studies
- The Auditor also lapsed $70,000 after conducting a financial and operational audit of the Hawaii Youth Correctional Facility
- The Legislative Reference Bureau lapsed $200,000
- The Ombudsman lapsed $83,000
- The Ethics Commission lapsed $3,000

"That's where the $1.2 million comes from. Again, the House of Representatives lapsed $28,331.

"I also know, from speaking with the Representative of the 43rd District, that she is also concerned about the allocation of staff resources, believing them to be unfair. Once again, nothing could be further from the truth.

"I note that the ratio of House Minority Research staff to Republican legislators is about 1:1. On the other hand, the ratio of Majority Staff Office (HMSO) personnel to Democrat legislators is 1:2. Every staff person supporting the Majority, at the outset, has twice the workload of a Minority staff person.

"Moreover, it is HMSO and our individual staff that conducts pre-hearing and post-hearing work, and does the final drafts of all bills and committee reports. The Minority Members and staff need only attend the hearings and their materials are handed to them as they show up.

"As such, any concerns the Representative of the 43rd District has should be brought up with her Minority Leader, who as the Minority Caucus Leader, bound her caucus to the current allocation of resources based on workload and positions sought for the Minority Leader's offices.

"Finally, we all know that recently, a Member of the Minority Caucus in the House switched to the Majority party. There will be a workload decrease for the Minority and a workload increase for the Majority. Yet, the allocation of resources for the Minority Research Office remained unchanged.

"I suggest that the Representative reconsider her opposition and honor the rational and fair decision of her Minority Caucus leaders. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 2688, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Pine voting no, and Representatives Sagum and Sonson being excused.

At 12:27 o'clock p.m., the Chair noted that H.B. No. 2688, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 4-08) recommending that H.B. No. 2016, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2016, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2016, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Sagum and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 5-08) recommending that H.B. No. 2119, as amended in HD 1, pass Second Reading and 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.B. No. 2119, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Sagum and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 6-08) recommending that H.B. No. 1993, pass Second Reading and 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.B. No. 1993, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 7-08) recommending that H.B. No. 2116, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2116, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Human Services & Housing with Representatives Sagum and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 8-08) recommending that H.B. No. 2163, as amended in HD 1, pass Second Reading and 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.B. No. 2163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 9-08) recommending that H.B. No. 2043, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2043, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Second Reading and was referred to the Committee on Higher Education with Representative Evans voting no, and with Representatives Sagum and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 10-08) recommending that H.B. No. 2037, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2037, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 11-08) recommending that H.B. No. 2198, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2198, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"During the 2007 Interim, the University of Hawaii Department of Family and Consumer Science prepared the *Needs Assessment of Grandparents Raising Grandchildren.* The grandparent needs assessment indicates that over 14,000 grandparents are primary caregivers for over 33,000 grandchildren in the State. These grandparents are providing a great service to the State by caring for these children outside of the foster care system. The needs assessment also shows that grandparents who provide care to their grandchildren often suffer emotional, physical, and financial costs, and these grandparents are a vulnerable population. The types of services needed by these grandparents include: support groups, financial assistance; respite; and assistance in dealing with legal issues such as custody. A task force to discuss the specific needs of grandparents raising grandchildren is very necessary.

"I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2198, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sagum and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 12-08) recommending that H.B. No. 2133, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Health with Representatives Sagum and Sonson being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 13-08) recommending that H.B. No. 2196, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Sagum and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 14-08) recommending that H.B. No. 2137, as amended in HD 1, pass Second Reading and 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.B. No. 2137, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 15-08) recommending that H.B. No. 2084, as amended in HD 1, pass Second Reading and 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.B. No. 2084, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Sagum and Sonson being excused.

ANNOUNCEMENT

Representative Carroll: "Thank you, Mr. Speaker. The Committee on Energy and Environmental Protection will reconvene its hearing at 1:00 p.m. in Room 312."

ADJOURNMENT

At 12:29 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, January 30, 2008. (Representatives Sagum and Sonson were excused.)

NINTH DAY

Wednesday, January 30, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Thomas Okano, Bishop of the Honpa Hongwanji Mission of Hawaii, after which the Roll was called showing all members present with the exception of Representative Souki, who was excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 234 through 244) were received and announced by the Clerk:

Gov. Msg. No. 234, dated January 4, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part 7, Section 200, SLH 2007.

Gov. Msg. No. 235, dated January 14, 2008, transmitting the Natural Energy Laboratory of Hawaii Authority's 2007 Annual Report.

Gov. Msg. No. 236, dated January 28, 2008, requesting immediate consideration and passage of House Bill 2694, which makes an emergency appropriation of $94,283 in general funds for Fiscal Years 2007-2008 for the operations of the Judicial Selection Commission. [note: See Gov. Msg. No. 244 which supersedes this letter.]

Gov. Msg. No. 237, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3037, which makes an emergency appropriation of $271,852 from the Stadium Special Fund to pay Fiscal year 2007-2008 increases in electricity, sewer, refuse and insurance premium payments for Aloha Stadium.

Gov. Msg. No. 238, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3038, which makes an emergency appropriation of $1 million in general funds to pay statewide increases in electricity payments for Fiscal Year 2007-2008.

Gov. Msg. 239, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3140, which makes an emergency appropriation of $10 million in general funds for Fiscal year 2007-2008 to the Hawaii Public Housing Authority for program operations and repayment to the Department of Budget and Finance for a loan made to cover payroll and risk management costs for liability insurance.

Gov. Msg. 240, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3146, which makes an emergency appropriation of $10 million in general funds for the Adult Mental Health Division in the State Department of Health to cover higher enrollment and per capita costs.

Gov. Msg. No. 241, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3152, which makes an emergency appropriation of $1,807,539 in general funds for Fiscal Year 2007-2008 to pay ambulance service providers statewide collective bargaining increases.

Gov. Msg. 242, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3161, which makes an emergency appropriation of $14 million in general funds for Fiscal Year 2007-2008 to pay current essential vendors, reduce accounts payable and allow operation and provision of current levels of service in Hawaii Health Systems Corporation's facilities.

Gov. Msg. No. 243, dated January 28, 2008, requesting immediate consideration and passage of House Bill 3197, which makes an emergency appropriation of $21,253,032 out of the State Highway Fund to cover operation and maintenance programs in Fiscal Year 2007-2008.

Gov. Msg. No. 244, dated January 29, 2008, requesting immediate consideration and passage of House Bill 2694, which makes an emergency appropriation of $47,142 in general funds for Fiscal Years 2007-2008 for the operation of the Judicial Selection Commission. This letter supersedes her letter dated January 28, 2008. (see Gov. Msg. No. 236.)

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 51) was received by the Clerk and was placed on file:

Dept. Com. No. 51, dated January 25, 2008, from the University of Hawaii, transmitting the Annual Report on University of Hawaii, Hilo 'Imiloa Astronomy Center of Hawaii General Fund Appropriation for FY 2008.

INTRODUCTIONS

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

Representative McKelvey introduced his friends with the public access television on Maui, Mr. Lance Collins, Mr. Jay April and Ms. Cynthia Tomei.

Representative Takumi introduced Astronaut Barbara R. Morgan who was in Hawaii to attend the Onizuka Science Day event. She was accompanied by Mr. Claude Onizuka; science and space teacher, Mr. Art Kimura; Mr. Roger Takabayashi of HSTA; and Mr. Bob Toyofuku.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
44	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
45	Committee on Judiciary

H.C.R. Nos.	Referred to:
44	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
45	Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2076	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Energy & Environmental Protection and the Committee on Health, then to the Committee on Finance
2144	Committee on Tourism & Culture, then to the Committee on Finance
2520	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2790	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
2836	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2849	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
3069	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
3091	Committee on Consumer Protection & Commerce, then to the Committee on Finance
3092	Committee on Consumer Protection & Commerce, then to the Committee on Finance
3111	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
3157	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
3182	Committee on Judiciary, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 16-08) recommending that H.B. No. 2254, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2254, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Judiciary.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 17-08) recommending that H.B. No. 2366, pass Second Reading and 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.B. No. 2366, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 18-08) recommending that H.B. No. 2059, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2059, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 19-08) recommending that H.B. No. 2140, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2140, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE VIOLENCE AGAINST WOMEN ACT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 20-08) recommending that H.B. No. 2184, as amended in HD 1, pass Second Reading and 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.B. No. 2184, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 21-08) recommending that H.B. No. 2136, pass Second Reading and 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.B. No. 2136, entitled: "A BILL FOR AN ACT RELATING TO CARE HOMES," passed Second Reading and was referred to the Committee on Finance.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 22-08) recommending that H.B. No. 2194, pass Second Reading and 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.B. No. 2194, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Finance.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 23-08) recommending that H.B. No. 1969, as amended in HD 1, pass Second Reading and 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.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 24-08) recommending that H.B. No. 94, as amended in HD 1, be recommitted 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.B. No. 94, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was recommitted to the Committee on Consumer Protection & Commerce.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 25-08) recommending that H.B. No. 96, as amended in HD 1, be recommitted 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.B. No. 96, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was recommitted to the Committee on Consumer Protection & Commerce.

INTRODUCTION OF RESOLUTIONS

The following resolution (H.R. No. 53) was announced by the Clerk and the following action taken:

H.R. No. 53, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AGREE TO AN ECONOMY-WIDE REDUCTION IN ITS GREENHOUSE GAS EMISSIONS AND TO COMMIT THE UNITED STATES TO A BINDING INTERNATIONAL TREATY THAT WOULD RESULT IN A SIGNIFICANT AND RAPID GLOBAL REDUCTION IN ATMOSPHERIC GREENHOUSE GAS CONCENTRATION," was jointly offered by Representatives Morita, Awana, Belatti, Berg, Bertram, Brower, Cabanilla, Caldwell, Carroll, Ching, Chong, Green, Hanohano, Har, Ito, Karamatsu, Lee, Luke, Manahan, McKelvey, Mizuno, Nishimoto, M. Oshiro, B. Oshiro, Pine, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane, Yamashita, Chang, Evans, Finnegan, Magaoay, Nakasone, Sagum, Takamine and Thielen.

Representative Morita moved that H.R. No. 53 be adopted, seconded by Representative Carroll.

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

"Thank you, Mr. Speaker. I rise in support of this Resolution. Mr. Speaker, it's our country's moral duty to act. The world's leading climate scientists are telling us we have a narrow window to act to avert the most severe impacts of global climate change. Given what we know today about climate change, history will judge us harshly if we choose as a nation, inaction.

"In the 1930s Winston Churchill wrote to those leaders who refused to acknowledge the clear and present danger of the gathering storm in Europe at that time and he wrote: 'The era of procrastination, of half-measures, of soothing and baffling expedients of delays is coming to a close. In its place, we are entering a period of consequences.'

"We are entering a period of consequences with global climate change. It is time for our federal government to take responsibility. So I ask the Members for their support with this Resolution. Thank you."

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

"Thank you, Mr. Speaker. This Resolution was brought to me, and I chose not to sign it. I'm not going to vote for this. I am going to vote no, and I would ask permission to insert remarks in the Journal."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HR53 Regarding Greenhouse Gases. The advocates for this Resolution and others like it believe that the science is out on global warming. That there is consensus amongst the scientific community that global warming is mostly man-made. Well, Mr. Speaker, attached are the names of 100 scientists who are skeptical about that theory. They believe, as I do, that global warming is a natural phenomenon that has more to do with the sun's solar activities than man's industrial activity. In fact, some of them believe that the greatest source of greenhouse gas is the world's oceans. And this, along with the sun's solar activity, is having a greater effect on our climate than man-made activity.

"Can science be incorrect? Absolutely! After all, in the early and mid-70s, scientists were warning us about massive global cooling. They told us that we were on the precipice of a new Ice Age. But that didn't happen. In the late 90s, we were warned about the looming disaster of Y2k. The 'experts' told us that there would be massive blackouts, social and financial disaster because of a computer dating glitch that had to be fixed. Well, the 'experts' were wrong. At a minute past midnight January 1, 2000, the world held its breath for a second until we realized that the lights were still on.

"Mr. Speaker, the climate change 'experts' may be wrong again. And if you listen to them, what will it cost us? If we are required to reduce our CO2 emissions to 20% below what they were in 1990, what will happen to our economy and standard of living? Mr. Speaker, that cost will be too high. I urge my colleagues to vote 'no.'

"**Scientists Who Question Current Climate Change Hysteria**

Khabibullo Abdusamatov, Scientist, Russian Academy of Sciences
Dr. William J.R. Alexander, Professor Emeritus, University of Pretoria
Dr. Claude Allegre, Geophysicist, Institute of Geophysics
Dr. August H. Auer, Former professor of Atmospheric Science, University of Wyoming
Dennis Avery, Environment economist, Center for Global Food Issues
Dr. Sallie L. Baliunas, Astrophysicist, Harvard-Smithsonian Center for Astrophysics
Dr. Timothy Ball, Canadaian Climatologist and Former Professor, University of Winnipeg
Dr. Robert C. Balling, Jr., Climatologist, Arizona State University
Dr. Jack Barrett, Chemist and Spectroscopist, Formerly with Imperial College London
Dr. David Bellamy, Honorary Professor for Adult and Continuation Education, Durham University
Dr. Sonja Boehmer-Christiansen, Reader, University of Hull
Dr. Simon Brassell, Geologist, University of Indiana
Dr. Reid Bryson, Meteorologist, University of Wisconsin-Madison
Mr. Nigel Calder, Former Editor, The New Scientist Magazine
Dr. Robert M. Carter, Geologist, James Cook University
Dr. Ian Castles, Fellow, Australian National University
Dr. Petr Chylek, Physics and Atmospheric Science Adjunct Professor, Dalhousie University
Dr. Ian D. Clark, Earth Sciences Professor, University of Ottawa
Dr. Paul Cooper, Professor Emeritus, Laurentian University
Dr. Richard S. Courtney, Climate and Atmospheric Science Consultant, Climate and Atmospheric Science Consultant

Dr. Chris de Freitas, Associate Professor and Climate Scientist, The University of Auckland
Dipl.-Ing. Peter Dietze, Official Reviewer, Intergovernmental Panel on Climate Change
Dr. Freeman J. Dyson, Emeritus Professor of Physics, Institute for Advanced Studies
Dr. Hugh W. Ellsaesser, Physicist/Meteorologist, Formerly with Livermore National Laboratory
Dr. Robert H. Essenhigh, Professor of Energy Conversion, The Ohio State University
Dr. Christopher Essex, Applied Mathematics Professor, University of Western Ontario
Dr. Bill Gray, Professor Emeritus, Colorado State University
Dr. Vincent Gray, Expert Reviewer, Intergovernmental Panel on Climate Change
Dr. Keith D. Hage, Meteorology Professor Emeritus, University of Alberta
Dr. Howard Hayden, Emeritus Professor of Physics, University of Connecticut
Dr. Douglas Hoyt, Retired Scientist, Raytheon Company
Dr. Andrei Illarionov, Chief Economic Adviser, Russian President Vladimir Putin
Dr. Zbigniew Jaworowski, Physicist and Chairman, Scientific Council of Central Laboratory for Radiological Protection
Dr. Ola Johanneseen, Professor, Nasen Environmental and Remote Sensing Center
Dr. Wibjorn Karlen, Emeritus Professor, Stockholm University
Dr. Aynsley Kellow, Professor, University of Tasmania
Dr. Madhav Khandekar, Former Research Scientist, Environment Canada
Mr. William Kinimonth, Former Head, National Climate Centre
Dr. Hans H.J. Labohm, Former Advisor to the Executive Board, Clingendael Institute
Dr. Douglas Leahey, Meteorologist and air-quality consultant, Calgary
Dr. Marcel Leroux, Climatology Professor Emeritus, University of Lyon
Dr. Dennis Lettenmaier, Hydrology Professor, University of Washington
Dr. Richard Lindzen, Meteorologist, Massachusetts Institute of Technology
Dr. Bjorn Lomborg, Associate Statistics Professor, University of Aarhus
Dr. Alister McFarquhar, International Economist, Downing College
Dr. Ross McKitrick, Associate Economics Professor, University of Guelph
Dr. Patrick J. Michaels, Professor of Environmental Sciences, University of Virginia
Dr. Fred Michel, Associate Professor, Carleton University
Dr. M.R. Morgan, Climate Consultant, First Minister of Wales
Dr. Nils-Axel Morner, Emeritus Professor, Stockholm University
Dr. Tad Murty, Adjunct Professor, University of Ottawa
Mr. David Nowell, Fellow, Royal Meteorological Society
Dr. Garth W. Paltridge, Director, The Cooperative Research Centre for Antarctica and the Southern Ocean
Dr. Benny Peiser, Professor of Social Antrhopology, Liverpool John Moores University
Dr. Al Pekarek, Associate Professor of Geology, St. Cloud State University
Dr. Roger Pielke, Sr., Meteorologist, Cooperative Institute of Research
Dr. Ian Plimer, Professor, University of Adelaide and University of Melbourne
Dr. Harry N.A. Priem, Emeritus Professor, Utrecht University
Dr. Andreas Prokoph, Adjunct Professor, University of Ottawa
Dr. Paul Reiter, Professor, Institut Pasteur
Dr. Art Robinson, Founder, Oregon Institute of Science and Medicine
Dr. Arthur Rorsch, Emeritus Professor of Molecular Genetics, Leiden University
Dr. Rob Scagel, Principal Consultant, Pacific Consultants
Dr. Gary Sharp, Director, Center for Climate/Ocean Resources Study
Dr. Nir J. Shaviv, Astrophysicist, The Hebrew University of Jerusalem
Dr. Fred Singer, Climatologist, The Competitive Enterprise Institute
Dr. Graham Smith, Associate Professor, University of Western Ontario
Dr. Roy Spencer, Principal Research Scientist, The University of Alabama
Dr. Henrik Svensmark, Climate Scientist, Danish Space Research Institute
Dr. Gordon E. Swaters, Applied Mathematics Professor, University of Alberta
Mr. George Taylor, State Climatologist, State of Oregon
Dr. Hendrik Tennekes, Retired Director of Research, Royal Netherlands Meteorological Institute
Dr. Gerrit J. van der Lingen, Climate Change Consultant, Geoscience Research and Investigations
Dr. G. Cornelis van Koten, Environmental and Climate Change Professor, University of Victoria
Dr. Jan Veizer, Emeritus Professor of Earth Sciences, University of Ottawa
Dr. Boris Winterhalter, Retired Senior Marine Researcher, Geological Survey of Finland
Dr. David E. Wojick, Senior Editor, “Electricity Daily” International Magazine"

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

"Thank you, Mr. Speaker. I will be voting with reservations on this particular measure. I did not feel that the United States should subject themselves to United Nations' guidelines. I think we should determine our own rate of reducing our carbon footprint. I think it's a necessary direction to go, and I just do not feel that we should give away our self-determination. Thank you."

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

"Mr. Speaker, I rise with reservations. I think the authors should be commended. This is very, very timely in that we have the world's 18 largest and most-developed countries here in Honolulu as we speak. I think the Resolution has some well-taken points except it forgets one thing, and that is the reason why the people are here in town is because this all started in Bali when the President said, 'Let us cut greenhouse gases.'

"Where this Resolution fails is where it says, and it forgets that there are those countries that are not yet developed that will also be able to develop. So there are many millions of people who are dying of hunger or dying of disease of which this Resolution says, 'For we developed countries, let's go for it.' But for those others, who many in this Chamber often decry their poor state of being, and having been a Peace Corps volunteer in the jungles of some of those countries, I know that that is the priority as much as it is for we developed countries.

"Let's not forget the poor. Let's not forget the downtrodden, the hunger, the disease in the world. That’s the reality of climate change, so these other countries can raise their standards. Thank you, Mr. Speaker."

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

"Yes, I rise in support of this Resolution. I commend the introducers for having the courage to put it forth. And I also urge that we not just urge the President look to reducing greenhouse gases, but individually we need to look to ourselves as well.

"So I ask all of the Members to really think about: Number one, walking and biking, which will help eliminate that. Number two, skip the burger, because the next big contributor are cow farts and burps. That is one of the major sources of greenhouse gases being emitted. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 53, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES TO AGREE TO AN ECONOMY-WIDE REDUCTION IN ITS GREENHOUSE GAS EMISSIONS AND TO COMMIT THE UNITED STATES TO A BINDING INTERNATIONAL TREATY THAT WOULD RESULT IN A SIGNIFICANT AND RAPID GLOBAL REDUCTION IN ATMOSPHERIC GREENHOUSE GAS CONCENTRATION" was adopted.

ANNOUNCEMENTS

Representative Shimabukuro: "Thank you, Mr. Speaker. I just want to announce that today at 3:00 in the Auditorium, the Health and Human Services Committee is holding an informational briefing regarding the tragic deaths of Cyrus Belt and Janel Tupuola and the other domestic violence victims that we've had in the State. In addition to having health officials, human service officials, we've invited law enforcement officials.

"I really want to urge any Member, especially the Judiciary Committee, Public Safety Committee members, and anyone else who's interested to come. I know that there's a lot of scheduling conflicts and it’s a tough time. I know that a lot of these questions really do fall more on law enforcement oftentimes, rather than the human service and health area, although we all need to work together.

"So please come. Again it's 3:00 today in the Auditorium regarding Cyrus Belt and Janel Tupuola, and *mahalo* to the Health Committee for really setting this up. Thank you."

Representative Chong: "Mr. Speaker, I would like to congratulate one of our colleagues from the Hilo/Kurtistown area on another year here with us on his birthday. Happy birthday and many more to come to the gentleman from Hilo and Kurtistown. Thank you."

Representative Tsuji: "Aloha and mahalo."

Representative Berg: "Thank you, Mr. Speaker. I'd just like to make two announcements in light of the Representative from Kauai's Resolution. Today and tomorrow, representatives from 16 of the largest greenhouse gas producing countries are meeting in Honolulu at the University to discuss the international agreement addressing global warming pollution and Hawaii's susceptibility to this.

"The Hawaii Blue Line Project is Hawaii students drawing a line on greenhouse gas emissions and are encouraging all of us to join them at the Old Stadium Park from 3:30 to 5:30. The purpose of this project is to demonstrate to the delegates, and to us and media, the seriousness of what can happen to the Waikiki and Moili'ili and McCully area.

"Equally of interest to colleagues is this evening at 7:30 at the University, there is a UH climate change teach-in and this is a fast-paced, interactive forum focusing on climate change predictions and solutions. So if there are still questions that many of us have, this is a good opportunity to go and find out. Thank you."

ADJOURNMENT

At 12:24 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, January 31, 2008.

TENTH DAY

Thursday, January 31, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Sister William Marie Eleniki, from the Order of Saint Francis, after which the Roll was called showing all members present with the exception of Representatives Berg, Meyer, Nakasone, Souki and Takamine, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 245) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 245, dated January 25, 2008, transmitting the Department of Agriculture's Transfer Fund Monies Annual Report for calendar year ending December 31, 2007.

INTRODUCTIONS

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

Representative Magaoay introduced his legislative staff: Office Manager, Mr. Larry Sagaysay accompanied by Ms. Judy Fomin and Ms. Tracy Walker.

Representative Luke introduced members of the Hawaii Dental Hygienists Association: President Miki Agoy, and Ms. Kim Schneider.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
94, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
96, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Transportation, then to the Committee on Judiciary
2138	Jointly to the Committee on Health and the Committee on Human Services & Housing
2250	Committee on Transportation, then to the Committee on Finance
2854	Committee on Transportation, then to the Committee on Judiciary
2872	Committee on Finance
2873	Committee on Finance
2874	Committee on Finance
2919	Committee on Energy & Environmental Protection, then jointly to the Committee on Transportation and the Committee on Tourism & Culture

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 26-08) recommending that H.B. No. 2003, pass Second Reading and 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.B. No. 2003, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," passed Second Reading and was referred to the Committee on Finance, with Representative Berg being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 27-08) recommending that H.B. No. 2005, pass Second Reading and 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.B. No. 2005, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Second Reading and was referred to the Committee on Finance, with Representative Berg being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 28-08) recommending that H.B. No. 2151, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2151, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Berg being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 29-08) recommending that H.B. No. 1992, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1992, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

"Mr. Speaker, I stand in strong support of this measure, Standing Committee Report No. 29-08. We have a medical crisis in our State. We're losing our doctors. The medical cost is so high and it's all related to high costs of medical tort insurance for our medical practitioners. I think this is a step toward the right direction because we need to implement a measure to encourage doctors to stay or move to Hawaii.

"It may not be a perfect bill that will address everybody's needs here as you probably know with my colleagues standing and voting no on it. But with respect to the benefit of all the people concerned, of all the citizens of Hawaii and all the ones who are consumers of healthcare, we need to implement something that would decrease the cost of medical coverage, as well as for us to have medical providers. But it’s a necessity in a civilized state, such as ours. Thank you."

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

"Mr. Speaker, on Stand. Com. Rep. No. 29-08, in strong support."

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

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

"Mr. Speaker, I rise in support of the bill, and very simply to say that we have to do something to help keep our doctors here in Hawaii. And if we don't pass tort reform, we should certainly raise the reimbursement for Medicaid care significantly so that our doctors are able to not lose money when they treat our patients. Thank you, very much."

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

"Thank you Mr. Speaker, in strong support and may I ask that the words of the Representative of Kahala be entered as my own."

Representative Sonson rose, stating:

"Thank you very much, in strong support. We love our doctors; we want our doctors to stay. This measure will not do that. What we have to do is to make sure that they are paid well, so that we take care of their worries, so that they can live, even in the rural areas where they're mostly needed, in the same kind of lifestyle that they deserve.

"Most of the doctors will congregate where they can make the most money. There are ads in the paper that say, $300,000. All premiums paid for malpractice insurance. We'll provide you with a house. You think that the doctor who can do much better in the city where there's a lot of work will go there? No. Although the doctors do care for their patients and they do care about people that need their valued work out there, they will not do so unless we give them other incentives.

"We love the doctors, we want them to stay in St. Francis, those doctors in St. Francis need our help. And this is not the kind of help that we should offer them and dangle in front of them, and say that this is the reason why you are leaving. The real reason that they are leaving is because they're not getting paid what they are worth. And that's where we should focus. We've passed measures already that will increase the kind of reimbursement that they have at least in the workers' comp arena, which also takes care of doctors that are taking care of claimants in the no-fault arena.

"So that's where we have to go. Let's not put something in this body year after year after year which is very divisive and I think that the more we do this, the more energy we spend on measures such as this, where the problem really does not lie, the less energy we have to devote on finding ways to pay them, to pay the doctors, to make sure that they can live in the kind of lifestyle that they deserve. Thank you, very much."

At 12:17 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:18 o'clock p.m.

Representative Sonson rose, stating:

"Thank you very much Speaker. I just want to make sure that those who are listening understand that I support the doctors. I do not support this measure. It will not help the doctors. Thank you, very much."

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

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

"I rise in support. Mr. Speaker, I would contend that we're not really listening to the doctors. They may be listening to us that we're giving them something, but I think it was Rodney Dangerfield who said, 'I don't get no respect.'

"The sense in the medical community is that we are not paying attention to them, we have not given them anything. If anything, we have brought about the controversy by getting their expectations up that we would give them a gesture that would give them some relief, but we've given them nothing. And this is basically a crumb in and of itself; that doctors need to know that there's a political will, that this body wants them to stay in Hawaii. And if we don't do this, we better do another one because that exodus is going to hurt every one of our constituencies, and every one of the children that we have, and everybody who has a disease, a sickness and an ailment who is not going to get it.

"So let's do something. If you don't want to do this one, that's fine, but we better do something."

The Chair then addressed Representative Ward, stating:

"Representative Ward, would you like to address the Chair?"

Representative Ward continued, stating:

"I will not emulate the gentleman. I will address the Chair. I was so taken by his speech as you can see, that he's recalled some of the things that I forgot that he forgot to say.

"So with that Mr. Speaker, we must listen to the doctors. We must do something, because this is a crisis. Not having doctors is like not having food. And with that, I think if we open our ears, our hearts, our minds, and in this case a little bit of a gesture to their pocketbooks, they will listen and they will stay. Thank you."

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

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

"Thank you, Mr. Speaker. I'll be very brief, and this is in support. This is the tort reform bill, and just so people know what's in it, it does have caps on economic damages, but it also provides a clause of a $3 million exception for catastrophic, disastrous outcomes like we heard described in hearing after hearing. I would though agree that this is a divisive issue. I recognize that there are many issues of course that are going to come up from the Health Committee that were mentioned earlier just here a moment ago about reimbursements and so on and so forth. Tort Reform is a piece of the puzzle. This may not be the approach that people choose. That's fine; there are a couple bills. One includes subsidies for medical malpractice costs.

"I don't have all the answers. I do know though that the good points that were made earlier about reimbursement, which would be coming to the Floor. We have bills, and I'll be very brief on this matter. We have bills that will be heard on the 6th that will require 135 percent of Medicare being reimbursed by HMSA and other insurers. By helping the healthcare system to stay afloat, by paying for HHSC hospitals and their shortfalls, by increasing reimbursements, will go a long way. I think if we take up each of these issues, some may die, some must pass if we're going to solve this problem.

"So please be aware that we have the reimbursement issue being taken care of, the tort reform issue has been considered and we will finally look at scholarships for the rural areas like Chair Sonson is recommending. But thank you for indulging me because I do recognize it's divisive, and I don't know that the answer is definitive, but if we do one or two of these things we're going to help ourselves. Thank you, Mr. Speaker."

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

"Yes, I rise with support, but with some minor reservations. And that is I just want to make sure for the next Committee, just to highlight, please look at the definition of medical tort. A lot of times it's in the details. I just want to make sure that we don't limit or get too expansive or whatever. So I'm looking forward to the next Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1992, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nishimoto, B. Oshiro, Rhoads, Saiki, Shimabukuro and Sonson voting no, and with Representative Berg being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 30-08) recommending that H.B. No. 2624, as amended in HD 1, pass Second Reading and 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.B. No. 2624, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL LEARNING MISSIONS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns, with Representative Berg being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 31-08) recommending that H.B. No. 2032, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2032, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

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

"Mr. Speaker, I stand similarly with reservations, except with extreme reservations due to some inaccuracies and unfortunately painting the good country of Uganda in a way that I think, with a little bit of discussion and some written comments, and some discussion with the author, will probably resolve this. Extreme reservations with comments. Thank you."

Representative Ward's written remarks are as follows:

"I rise with extreme reservations.

"Page 1, line 6, claims that the Lord's Resistance Army is supported by the government of Uganda. However, this is not the case. Instead, the Lord's Resistance Army has received both official and unofficial support from the government of Sudan in the past, including the allowance of bases in southern Sudan.

"While Sudan is one of five countries listed by the U.S. State Department as a State Sponsor of Terrorism (along with Cuba, North Korea, Syria and Iran), Uganda remains off the list. In fact, a 2007 report by the State Department says, 'the Ugandans have proved willing to locate, capture and hold terror suspects. The Government of Uganda was actively involved in regional counterterrorism efforts, conferences and workshops, and had a strong regional voice in opposing international terrorism and supporting U.S. counterterrorism initiatives.'

"Page 1, lines 15-16 claim that the Lord's Resistance Army has been designated as Foreign Terrorist Organizations by the Immigration and Nationality Act. However, it is actually designated on the Terrorist Exclusion List by the USA PATRIOT Act of 2001. There are significant differences between the two designations, the former being a threat to U.S. national security, while the latter are prevented from immigrating to the U.S.

"Page 4, line 12, page 5, lines 1-2 imply that the United States Government has declared genocide in Uganda. However, this is not the case. There has been no declaration by Congress or the State Department, declaring genocide in Uganda.

"We should not malign the attempts of a developing country like Uganda as being a rogue nation this resolution suggests."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2032, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representative Sonson voting no, and with Representative Berg being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 32-08) recommending that H.B. No. 2369, pass Second Reading and 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.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance, with Representative Berg being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 33-08) recommending that H.B. No. 2508, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2508, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising on Stand. Com. Report 33-08 which is relating to the Deposit Beverage Container Program. I'm in support with strong reservations. This is going to make large stores, I guess like Costco, and it talks about the square footage, that they would have to take the beverage containers back.

"I think the time is here to re-evaluate the whole beverage container program. The City and County of Honolulu is now moving toward curbside pick-up. It will be a bigger pick up and certainly a lot easier for people to recycle than now when they have to go to these different recycling places which close early, they won't take glass today, they've changed their hours. It's a very frustrating procedure and I can see why people would rather take them back to the stores. I don't think the situation with the stores has changed since what it was when we first were looking at this bill. They are into not keeping stock. They have like one or two days of inventory. They don't have a lot of extra space.

"The problem with them taking back the bottles is a sanitation problem, a security problem, and the only thing that you can know certainly is that the price of all food will go up if they are forced to do this. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2508, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Berg being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 34-08) recommending that H.B. No. 3151, as amended in HD 1, pass Second Reading and 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.B. No. 3151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES," passed Second Reading and was referred to the Committee on Finance, with Representative Berg being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 35-08) recommending that H.B. No. 2145, as amended in HD 1, pass Second Reading and 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.B. No. 2145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Second Reading and was referred to the Committee on Finance, with Representative Berg being excused.

ANNOUNCEMENTS

Representative Lee: "Yes, if we could turn to page E under the Committees on Health and Human Services & Housing agenda. On House Bill 2520 the referral is listed incorrectly. The bill was re-referred and if that could be corrected to Health, Human Services, Labor, and Finance as it was announced on the re-referral sheet two days ago."

Representative Green: "Thank you, Mr. Speaker. With your indulgence, first an apology. The Health Committee would like to ask for a waiver of the 48-hour notice for the following reason. We would like to add four bills on for tomorrow's agenda.

"The first bill is House Bill 2438 Relating to Cigarettes, permitting the sale of cigarettes and why they're not reducing ignition propensity fire safe. We already heard this measure. There is a technical reason for us to hear it again. It's a triple referral and we just needed the time. The Committee was in support with amendments.

"The others are three short form bills and I did take this up with Minority Leader as well. Three short form bills. One is to deal with hospitals being able to expedite insurance authorization for Medicaid patients so that they can get reimbursed. The other very similarly affects people's ability to get insurance if they don't have it so they can be in long-term care. And the final measure, because of the discussion of Cyrus Belt that's been going on, the Health and Human Services Committees are hoping to take up a measure that will consider improvements in the system in order to provide more safety for children.

"So we look forward to having that active in this Session in Committee so we can all take up the measures. With your indulgence we'd like to hear those four bills. The short form bill numbers are H.B. Nos. 2169, 2170 and 2171. Thank you," and the Chair "so ordered."

Representative Morita: "Thank you, Mr. Speaker. The Committees on Energy & Environmental Protection, and Water, Land, Ocean Resources & Hawaiian Affairs will continue its hearing at 2:30 in Room 314."

ADJOURNMENT

At 12:29 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 1, 2008. (Representatives Berg and Sonson were excused.)

ELEVENTH DAY

Friday, February 1, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Joey Manahan, after which the Roll was called showing all members present with the exception of Representatives Berg and Meyer, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 246 through 249) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 246, dated January 25, 2008, transmitting, "A Report to the Legislature on High Technology; Incubation Center; Kakaako."

Gov. Msg. No. 247, dated January 25, 2008, transmitting the High Technology Innovation Corporation's 2007 Annual Report, pursuant to Section 206M-56, Hawaii Revised Statutes.

Gov. Msg. No. 248, dated January 25, 2008, transmitting the High Technology Development Corporation's 2007 Annual Report, pursuant to Section 206M-3.5, Hawaii Revised Statutes.

Gov. Msg. No. 249, dated January 31, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force.

INTRODUCTIONS

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

Representative Luke introduced her friend and former ASUH colleague, Mr. Randell Dunn, Waipahu Intermediate School Principal.

Representative Waters introduced his legislative 'shadow', Mr. Antonio Faimaw from the Waimanalo Job Corp Program. He was accompanied by his advisor, Ms. Julie Dugan.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 54) was announced by the Clerk and the following action taken:

H.R. No. 54, entitled: "HOUSE RESOLUTION CONGRATULATING THE WAIPAHU INTERMEDIATE SCHOOL 2007 JUNIOR ENGINEERING EXPO WINNERS," was jointly offered by Representatives Sonson, Awana, Belatti, Karamatsu, Magaoay, Manahan, Sagum, Yamane and Wakai.

Representative Sonson moved that H.R. No. 54 be adopted, seconded by Representative Karamatsu.

Representative Sonson congratulated the Waipahu Intermediate School 2007 Junior Engineering Expo Winners and introduced the following student honorees who were seated on the floor of the House:

Danten Inouye, Lancen Daclison and Zhyla-Maranda Aldoz, first place winners in the Coaster Mania competition;

Dianne Agpaoa, Taylor Fujiuchi and Faith Faustorilla, first place winners in the Electromagnetic Fishing Pole contest;

Melissa Macabeo and Jerome Caballero, first place winners in the Pendulum Design contest; and

Abigail Macadamia, Zhayla-Maranda Aldoz, Mary Page Diaz and Faith Faustorilla, first place winners for oral presentation in the Popsicle Stick Bridge competition.

Representative Sonson then introduced Waipahu Intermediate School Principal, Mr. Randell Dunn, as well as parents and relatives seated in the gallery: Aida and Wilfredo Caballero, Christine Agpaoa, Anderson Wong, Lance Daclison, Eric Calo, Joyce Sarmiento and Ramon Diaz.

Representative Sonson also introduced the Waipahu Intermediate Production Crew who where filming the presentation: Jeinstene Agonoy, Charlyn Agonoy, Sharmaine Tiburcio and Jenalyn Romos; and advisor, Mr. Sparky Rodriges. They were accompanied by Representative Sonson's legislative staff, UH intern Mr. Matt Prellbery, and Ms. Lagaya Hartman.

Representative Cabanilla further congratulated the Waipahu Intermediate School Junior Engineers.

Representative Karamatsu then introduced other Junior Engineering participants seated in the gallery: Rachel Wong, Jhonell Tristan Abucay, Mike Ragaspi and Christine Rioca who competed in the Engineering and Science HEXathalon. They were accompanied by their supervisors and teachers, Mr. Brian Okumura, Ms. Renee Blue, and Mr. Edgar Ugale.

The motion was put to vote by the Chair and carried, and H.R. No. 54 was adopted with Representatives Berg, Herkes and Nakasone being excused.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 36-08) recommending that H.B. No. 3325, as amended in HD 1, pass Second Reading and 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.B. No. 3325, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Herkes and Nakasone being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 37-08) recommending that H.B. No. 2062, as amended in HD 1, pass Second Reading and 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.B. No. 2062, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Herkes and Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 38-08) recommending that H.B. No. 2229, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2229, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative 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 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 the report of the Committee was adopted and H.B. No. 2229, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 39-08) recommending that H.B. No. 2428, pass Second Reading and 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.B. No. 2428, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Berg, Herkes and Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 40-08) recommending that H.B. No. 2745, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2745, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

Representative 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 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 the report of the Committee was adopted and H.B. No. 2745, entitled: "A BILL FOR AN ACT RELATING TO MASS TRANSIT ROUTE ECONOMIC ZONES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Berg, Herkes and Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 41-08) recommending that H.B. No. 2577, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2577, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Berg, Herkes and Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 42-08) recommending that H.B. No. 2001, as amended in HD 1, pass Second Reading and 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 Committees was adopted and H.B. No. 2001, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TELEPHARMACY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Herkes and Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 43-08) recommending that H.B. No. 2567, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2567, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Berg, Herkes and Nakasone being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 44-08) recommending that H.B. No. 2004, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2004, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Second Reading and was referred to the Committee on Transportation with Representatives Berg, Herkes and Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 45-08) recommending that H.B. No. 2368, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2368, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"Mr. Speaker, just with reservations. There is a component in here that is contrary to the need for more teachers. It's going to make those

who are emergency teachers get thrown out of the system quicker. I think that needs to be amended. So I am with reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2368, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Herkes and Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 46-08) recommending that H.B. No. 2248, as amended in HD 1, pass Second Reading and 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.B. No. 2248, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Herkes and Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 47-08) recommending that H.B. No. 2347, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2347, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 48-08) recommending that H.B. No. 2573, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2573, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 8-08 with reservations. This would raise the pay schedule to 120 percent. I thought this might be a little too low. I would like to see it at least 140 percent. Thank you."

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

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

"Mr. Speaker, on Stand. Com. Rep. No. 48-08 can I ask for a conflict of interest ruling? My private practice includes worker's compensation cases. Thank you," and the Chair ruled, "no conflict."

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

"I'd like the Speaker to please rule on a potential conflict on all workers' comp bills that we will vote on on this Floor, including this one. I am also an attorney in private practice and a substantial number of my cases are for workers' compensation," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Berg, Herkes and Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 49-08) recommending that H.B. No. 3029, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3029, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3029, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Berg, Herkes and Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 50-08) recommending that H.B. No. 3368, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3368, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3368, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 51-08) recommending that H.B. No. 2280, pass Second Reading and 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.B. No. 2280, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 52-08) recommending that H.B. No. 2051, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN," passed Second Reading and was referred to the Committee on Education with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 53-08) recommending that H.B. No. 2775, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2775, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2775, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 54-08) recommending that H.B. No. 2767, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2767, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 55-08) recommending that H.B. No. 2772, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2772, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of this measure. Human trafficking is an unfortunate circumstance of human beings in poor living conditions, desperate for a better quality of life. As a result, they are deceived, taken advantage of, and abused in numerous ways. Many of them are immigrants, particularly women and children.

"According to the U.S. Government, approximately 800,000 human beings are trafficked across international borders each year, with millions more being trafficked in their own nations. Of these 800,000, 80% are females, and up to 50% are minors.

"Because of Hawaii's geographical position, human trafficking is occurring in our islands. During November of 2003, a Waipahu man was charged with several counts of human trafficking and forced labor on his pig farm in Nanakuli.

"On January 4th of 2008, two men were sentenced by the federal court in Hawaii for illegally recruiting Chinese women to American Samoa. The women were forced into prostitution by being denied access to their passports, and the pay they were promised.

"It is essential that the Hawaii Anti-Trafficking Task Force receives the extended time period, additional members, and funding necessary for Hawaii to stay involved in this united, national battle against human trafficking."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2772, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 56-08) recommending that H.B. No. 2766, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2766, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 2766 – Relating to Electronic Monitoring.

"Victims obtain Temporary Restraining Orders (TRO) or Protective Orders (PO) as legal means for seeking safety from domestic violence. Statistics show that approximately 75% of women murdered by a partner or former partner had separated from their batterer or told their batterer they planned to leave.

"The intimate nature of these relationships means that the offender is well versed in the victim's routines, and personal and social affiliations, such as family, friends, and membership in organizations. He knows when and where she works, the school where she waits to pick up the children, her telephone numbers, as well as her travel routes to reach home, work or fulfill other responsibilities, needs or preferences. Such knowledge of her daily routines furnishes the abuser with numerous opportunities to harass,

talk, intimidate, assault or abuse the victim in violation of protective orders.

"The electronic monitor is a global positioning satellite (GPS) device. Its purpose is to reduce contact between an order violator and the victim. If the order violator enters a court defined exclusion zone, the victim and the police will be notified as to the violator's location.

"Electronic monitoring serves as an additional tool that would assist in protecting victims and their children's safety."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2766, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 57-08) recommending that H.B. No. 2698, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2698, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Berg, Herkes and Nakasone being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 59 and 60) were referred to Printing and further action was deferred:

H.C.R. No. 59, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EVALUATE THE STATE'S DRIVER EDUCATION PROGRAM AND ITS FUNDING," was offered by Representative Evans.

H.C.R. No. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE AN INVENTORY OF CAMPING FACILITIES AND CAMPSITES AVAILABLE STATEWIDE AND REPORT ON THE CONDITIONS OF, AND PROBLEMS ASSOCIATED WITH, EXISTING CAMPING FACILITIES AND CAMPSITES IN THE STATE," was offered by Representative Evans.

ANNOUNCEMENTS

Representative Karamatsu: "Mr. Speaker, I would like to announce that the Committees on Water, Land, Ocean Resources & Hawaiian Affairs and Agriculture will reconvene at 2:30 p.m. in Room 329."

Representative Green: "Thank you Mr. Speaker. An untraditional thanks goes to the International Affairs Committee. They carved out some time for us, so the Health Committee will be having a hearing on Monday morning. Just to alert our members. So Monday, Wednesday, Friday next week. Thank you, Mr. Speaker."

Representative Caldwell: "Mr. Speaker, today is a very special day. Do you know why? Would you like to share with the Members of this body or would you like me to share it?"

Speaker Say: "Oh yes. I'm just getting one year older. Thank you."

Representative Caldwell: "It's House's Speaker Calvin Say's birthday today. Mr. Speaker, if its okay, at the end of the session today, we'd like to invite all Members of this body to share cake and ice cream over in the parlor on the *mauka* end. Thank you."

Representative Finnegan: "Yes, and we have to work off the cake and ice cream that we're about to eat after session, so we have what's called HAT Tuesdays, short for House Activity Team Tuesdays. And basically we're just inviting you out to enjoy some exercise, walking or running on Tuesday. There's the information right there in front of you.

"Throughout the Session, I know it's difficult to carve out that time to do exercise and keep healthy. And in case you're a little afraid of getting out there and getting that heart pumping we will have our Doc of the House out there running with us. So he'll keep an eye on us. I hope to see you there."

ADJOURNMENT

At 12:40 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 4, 2008. (Representatives Berg, Herkes and Nakasone were excused.)

TWELFTH DAY

Monday, February 4, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Kaala Souza from Hope Chapel Manaolana, after which the Roll was called showing all members present with the exception of Representatives Har, Karamatsu and Thielen, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 250 and 251) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 250, dated January 31, 2008, transmitting the Report to the Twenty-Fourth Legislature, State of Hawaii, 2008, Pursuant to HCR 187, H.D. 1 (2007), Requesting the Legislative Reference Bureau to Study Respite Care Policies and Programs in Other States and the Executive Office on Aging to Conduct an Inventory of Respite Care Services in Hawaii.

Gov. Msg. No. 251, dated February 1, 2008, transmitting the Department of Accounting and General Services' Report on Information Technology Expenditures.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 4) was received and announced by the Clerk:

Sen. Com. No. 4, transmitting S.C.R. No. 49, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF HAWAIIAN AFFAIRS AND THE ATTORNEY GENERAL, AS REPRESENTATIVE OF THE EXECUTIVE BRANCH, CONDUCT STATEWIDE INFORMATIONAL HEARINGS ON THE CEDED LANDS TRUST SETTLEMENT AGREEMENT," which was adopted by the Senate on February 1, 2007.

Representative Caldwell moved that S.C.R No. 49 be adopted, seconded by Representative B. Oshiro.

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

"Yes, Mr. Speaker. I can understand the need for a public hearing for the ceded land issue in trying to find some finalization. Mr. Speaker, I wish to speak for the measure with some reservations. The reservation I have is that time is of the essence and I believe the responsibility for any hearing should be OHA's responsibility and not the State's responsibility. I know that we are asking OHA to do that so they will ultimately do that.

"I believe the *kuliana* should be with OHA. It makes me a little skeptical sometimes when we go out and hold hearings, there are some strong negative affects, pluses and minuses, and that should have been done already.

"This is a little late for the hearing. Now it's time for action. They will go out for the hearing. There could be a delay tactic, and all kinds of things can happen to jeopardize the measure which, for the last 30 years or so they've been trying to resolve. This is my concern and my fear. I am not opposed to hearings. I am just concerned as to what may result from these hearings. Thank you, very much."

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

"Thank you, Mr. Speaker. I have some similar concerns and reservations."

The motion was put to vote by the Chair and carried, and S.C.R. No. 49, entitled "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF HAWAIIAN AFFAIRS AND THE ATTORNEY GENERAL, AS REPRESENTATIVE OF THE EXECUTIVE BRANCH, CONDUCT STATEWIDE INFORMATIONAL HEARINGS ON THE CEDED LANDS TRUST SETTLEMENT AGREEMENT," was adopted, with Representatives Har, Karamatsu and Thielen being excused.

INTRODUCTIONS

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

Representative Cabanilla introduced Mr. Thomas Skancke, of Las Vegas, Nevada, Commissioner with the National Surface Transportation Policy and Revenue Study Commission. He was accompanied by civil engineering professor Panos Prevedouros with the University of Hawaii at Manoa, and Representative Cabanilla's office manager, Mr. Thomas Berg.

Representative Ito introduced Department of Land and Natural Resources DOCARE conservation officers from the Neighbor Islands.

Representative Carroll introduced the conservation officers from the Maui Division: Branch Chief Mr. Randy Awo; East Maui Supervisor Mr. Dexter Tom along with Mr. Russell Kapahulehua, Mr. John Yamamoto and Mr. Chad Kahoopii; and from West Maui, Mr. Clarence Yamamoto, Mr. Randy De Cambra, Mr. Howard Rodriguez, and Mr. John De Jesus.

Representative Hanohano introduced DLNR DOCARE officers from the Big Island: Mr. John Kalua'u and Mr. Charles Nahale from West Hawaii; and Mr. James Weller and Mr. Eric Kawamoto from East Hawaii.

Speaker Say also acknowledged the officers from Kauai and asked them to rise to be recognized.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

H.C.R. Nos.	Referred to:
59	Jointly to the Committee on Education and the Committee on Transportation, then to the Committee on Finance
60	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2836	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
3340	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 58-08) recommending that H.B. No. 3160, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIP," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Transportation with Representatives Har and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 59-08) recommending that H.B. No. 2509, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2509, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 60-08) recommending that H.B. No. 2524, pass Second Reading and 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.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 61-08) recommending that H.B. No. 2491, pass Second Reading and 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.B. No. 2491, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 62-08) recommending that H.B. No. 2437, pass Second Reading and 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.B. No. 2437, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 63-08) recommending that H.B. No. 2531, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2531, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I am in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 64-08) recommending that H.B. No. 2421, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2421, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Yes, in strong support for 64-08. It's basically making it legal for us to have an electric bike and that's a good step in the right direction I think. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 65-08) recommending that H.B. No. 2618, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2618, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 66-08) recommending that H.B. No. 2556, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2556, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading

and was referred to the Committee on Education with Representatives Har and Thielen being excused.

Representatives Shimabukuro and Takumi, for the Committee on Human Services & Housing and the Committee on Education presented a report (Stand. Com. Rep. No. 67-08) recommending that H.B. No. 3364, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 3364, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO FACILITATE THE SHARING OF INFORMATION OF FAMILY COURT RECORDS WITH SCHOOLS IN THE CASE OF CERTAIN MINOR OFFENDERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 68-08) recommending that H.B. No. 2255, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2255, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 69-08) recommending that H.B. No. 2589, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2589, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 70-08) recommending that H.B. No. 2712, as amended in HD 1, pass Second Reading and 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.B. No. 2712, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 71-08) recommending that H.B. No. 2583, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2583, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I'm rising with strong reservations on this measure. This is very much like the bill that we passed last year and the Governor vetoed. This establishes that proposed compensation, or changes of compensation for employees in the administrative positions at the University of Hawaii must be disclosed in open meetings.

"I think most of you are familiar with this. We'll see if anything changes on this. But essentially, this bill is a requirement for the Board to disclose six days before a meeting a range of proposed compensation information for certain personnel that will be discussed at the meeting. This was opposed by the Office of Information Practices. This would set a precedent where this is not required of any other department. We'll just see what happens with it along the way. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2583, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 72-08) recommending that H.B. No. 2134, as amended in HD 1, pass Second Reading and be referred to the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2134, HD 1, pass Second Reading and be referred to the Committee on Health, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Report No. 72-08, Relating to the Center for Nursing, with reservations. While I didn't sit in this Committee, just looking at the bill I'm seeing who testified for and against it. The fact that the Hawaii Nurses Association testified against it, their members don't want to keep paying these fees. This bill, the way it's been amended, extends the sunset date for five more years, and it seems to me that perhaps it should extend it for a year. They should try to get the parties together. Thank you."

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

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

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

"Yes, Mr. Speaker I just want to insert a comment for the edification of the Members. I rise in strong support of this measure. What the Center for Nursing is asking for is a fee of $40 for a renewal of license for every two years. I also want to say that nurses make $42 an hour. So I think they're asking for a minimal fee which is asking for some studies to direct where the profession of nursing should be heading to as far filling the gaps where there are shortages. The fee they're asking for, in my opinion, Mr. Speaker is very minimal."

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

"Mr. Speaker, I would like to speak in favor of this measure. The fee that is referred to that bill is already being collected and it supports the Center for Nursing which is the arm at the University

that does research and data collection. If there is one thing we need in terms of making sure we have an adequate supply of nurses, it's data. The work that the Center for Nursing is doing is actually very, very research oriented. It's documented well, and that's available by the way for anyone to see.

"I think the fee itself, that's already been collected. The question is whether or not we should continue to collect the fee, and that nurses should submit a survey at the time of registration. The survey is actually what provides the information about how many nurses we have in the State, where they're working and other such information. So it's really valuable.

"We do have a severe shortage of nurses in the State. The Nursing Center was a long-term dream of the Hawaii Nurses Association ten years ago. This body worked very hard actually, making sure it became a reality and I'd like to see it be continued. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Again I'm with reservations. Maybe with the nurses ten years ago, but it clearly states that the Hawaii Nurses Association was quite insistent that they did not want to continue paying these fees. So for the legislators who feel so strongly about this, they need to sit down with these nurses and see if they can get a little closer together. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. I would like to echo the comments made by the Representative from Mililani. It was about ten years ago when we started looking at this. In fact it wasn't until the strike that occurred just right across the street just a few years ago that I think the healthcare facilities and the nurses realized that the Center for Nursing at the University is critical to ensure the future success of the nursing program. In fact, as she already mentioned, it was at their insistence that we had the Center, and it was on their insistence that we provided a stipulation for the $40 every two years for nurses.

"At the hearing I asked the representative from the Hawaii Nurses Association whether, not having the Center for Nursing is what he's asking. In other words, whether doing away with the fee and subsequently the elimination of the Center for Nursing is what he was asking for. His answer to that was in the affirmative. In other words, he's saying that his Association, and he said it was a very lively debate at their convention. But he's saying that the majority of the nurses, ironically, are not supporting the fee and thereby not supporting the Center. So at the hearing we asked the Hawaii Nurses Association and the representative to meet with their Healthcare Association of Hawaii, as well as the Executive Director for the Center for Nursing to try to resolve this. And that is the reason for the extension of the sunset.

"It would be very unfortunate from my perspective and from ours I believe, as lawmakers to see the Center for Nursing disappear. But it's the perfect opportunity in this case to utilize part of the licensing fee for this profession to pay for a Center that advocates for their profession. So I would hope that the Members who have some concerns or have some objections to this particular measure take a look at the efforts that we've put in the past, and also the efforts we'll continue to work on in the future. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'd like a ruling on a potential conflict. My husband is a nurse. Thank you," and the Chair ruled, "no conflict."

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

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 2134 – Relating to the Center for Nursing, which extends the sunset date for the deposit and disbursement of certain nursing fees into the Compliance Resolution Fund for the credit of the Center for Nursing Special Fund by five years. This extension will ensure that the Center will have adequate time to secure an alternative funding source for its continuance.

"The Hawaii State Center for Nursing has been crucial to State policy in establishing workforce development programs and policies. The fees paid help provide valuable information to the State, which mainly benefits nurses and those in need of nursing data.

"The Hawaii State Center for Nursing provides a positive opportunity for various sectors of the community to come together with a common interest in staffing which supports quality of care, patient safety, and a positive working environment. The Center is uniquely able to focus on complex issues which underlie the nurse shortage include nursing workforce data, recruitment and retention of nurses and faculty, and research on best practices and quality outcomes.

"The Center for Nursing has demonstrated its value in gathering and analyzing data that is essential to creating sustainable solutions specific to Hawaii's nursing workforce shortage. While I understand the arguments made by HNA and acknowledge the apparent imposition upon nurses when renewing licenses, the current funding mechanism is a result of much work and study. I strongly support an extension of the sunset date, provided that the Center will take advantage of the additional time to seek and obtain a long-term funding source. Failure to extend the sunset date would likely result in the end of the Hawaii State Center for Nursing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Health with Representative Evans voting no, and with Representatives Har and Thielen being excused.

Representatives Chang and Yamashita, for the Committee on Higher Education and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 73-08) recommending that H.B. No. 2020, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2020, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in strong support of 73-08 and would like to submit written comments for the sake of entrepreneurship and small business in Hawaii."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for House Bill 2020, which will appropriate funds to the Hawaii Small Business Development Center network at the University of Hawaii at Hilo.

"The mission of the Small Business Development Center is to create sustainable economic development through counseling, training, and research services to small businesses and entrepreneurs. It is critical for our State's economy that our local entrepreneurs are assisted with accessing capital, developing management capabilities, and building financial skills to make their businesses thrive. The services that the Small Business Center provides are of great value, and include in-class workshops, seminars, and online training, and confidential one-on-one counseling by qualified business professionals free of charge.

"Investing in long-term business counseling has many benefits, leading to increased activity in the local economy and greater tax revenues. As co-chair of the House Small Business Caucus, I believe that the Small Business Development Center is of great benefit to our state, and I give it my full support. Thank you for this opportunity to offer my support for this measure."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2020, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representatives Chang and Yamashita, for the Committee on Higher Education and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 74-08) recommending that H.B. No. 2431, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2431, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising in opposition to Stand. Com. Report 74-08. What this bill does is it exempts the Board of Regents at the University of Hawaii from the Hawaii Public Procurement Code requirements. I believe that statutory exemptions are contrary to the Hawaii Public Procurement Code. A government agency with the authority to expend funds should be in compliance with the Code. Exempting agencies will jeopardize uniform and consistent protections against waste, fraud and abuse. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2431, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Har and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 75-08) recommending that H.B. No. 2792, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2792, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"I'd like to ask for a ruling on a potential conflict. For Stand. Com. Rep. No. 75-08, my firm is involved in the class action representing the substitute teachers. However, I am not working on that case. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 76-08) recommending that H.B. No. 2514, pass Second Reading and 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.B. No. 2514, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 77-08) recommending that H.B. No. 3137, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3137, entitled: "A BILL FOR AN ACT RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 78-08) recommending that H.B. No. 2011, as amended in HD 1, pass Second Reading and 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.B. No. 2011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BREAST CANCER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 79-08) recommending that H.B. No. 2013, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2013, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On Stand. Com. Rep. No. 79-08 and all other measures before us relating to health insurance, I'd like a ruling on a potential conflict. I own an insurance brokerage company. Thank you, very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2013, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 80-08) recommending that H.B. No. 1996, as amended in HD 1, pass Second Reading and 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.B. No. 1996, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 81-08) recommending that H.B. No. 2112, as amended in HD 1, pass Second Reading and 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.B. No. 2112, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TASK FORCE ON AGING," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 82-08) recommending that H.B. No. 3162, as amended in HD 1, pass Second Reading and 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.B. No. 3162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT COUNCIL," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Thielen being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 83-08) recommending that H.B. No. 1979, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1979, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On 83-08, I'm rising with some reservations. This bill was amended; originally I think it was for three years, establishing a statute of limitation for three years in the State in order for it to recover overpayments of State salaries.

"Right now there's a two-year limitation statute for employees. If they feel they that haven't been paid appropriately they have two years to try make their case and get what they earned, what they should have earned. The way the laws are now, there's no limitation on the State. What happens is often times salary overpayments are found on the final audits when people are retiring, when they're leaving and then of course they don't have the money. It's a hardship.

"I don't know what the answer is. I think there should be a for the State, because people, if they get paid more than they think they should have, they probably don't say anything. Then as time goes on, they forget all about, or maybe they didn't notice it. Maybe we should have a limitation, but I think three years is not enough time.

"I noticed in Committee that DAGS was against this, and the Department of Labor was against it. But I see both sides of it. I see both sides of it. It really can hit people and they're out the door and they don't have the money and now they've been told they owe this money. So perhaps the State should have a statute of limitations, but because of just the size and the numbers of government workers the statute of limitation should be something like ten years. Thank you."

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

"Mr. Speaker, on Stand. Com. Rep. 83-08, I support it because it's only fair. It's unusual to hear the Representative from Laie supporting the government position on something that involves something like this. I think that whatever statute of limitations we do adopt, they should be the same both for government and for the worker.

"The government has an opportunity to go back and get what they need, if there's been an oversight. Vice versa, if the employee feels like they've not got what they were entitled to, they have a right to go back too. The way it stands now is the worker has two years and the government has an indefinite period. I don't see a level of fundamental fairness. That's not fair. If it's two years for the government, it should be two years for the workers as well. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 84-08) recommending that H.B. No. 2922, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2922, pass Second Reading and be referred to the Committee on Energy & Environmental Protection, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep.84-08, I'm in strong support and I just would like to thank the Committee on Transportation for passing out an excellent bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2922, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 85-08) recommending that H.B. No. 2954, pass Second Reading and 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.B. No. 2954, entitled: "A BILL FOR AN ACT RELATED TO TOWING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 86-08) recommending that

H.B. No. 2364, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2364, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"On the last bill on the page sir, 86-08, House Bill 2653. The House Committee on Transportation is moving out a measure to require that helmets must be provided when selling, leasing or even loaning an ATV to a minor. If this becomes law, it will prevent many head and brain injuries to children.

"Last year across the country there were 136,000 injuries and deaths from ATV accidents. Over 40,000 of these injuries occurred in children under 16. Legislators must, at the minimum better protect our children. Enthusiastic testimony arrived from the Keiki Injury Prevention Coalition, Queen's Medical Center Trauma Service, The Brain Injury Association, The Hawaii Medical Association and the Department of Health.

"The Honolulu Police Department supported the intent of the measure, but HPD pointed out it has no jurisdiction over ATVs since they are only allowed on private property. However if the Legislature attached penalties when helmets are not provided to minors, then the law would have some teeth. This bill must traverse some rough terrain; it must go through the Committees on CPC and Judiciary. I might have preferred a more direct route. However ATVs will increase in numbers of popularity, so will deaths and injuries unless we take action. Thank you."

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

"Thank you, Mr. Speaker. I'm in strong support of this bill. I was riding one of these all terrain vehicles while on holiday and flipped it over and knocked myself out. I had a helmet on and I could tell you that's the first time in my life I've ever been knocked out. It happened just like in the flash of an eye. I was over and out. And maybe I did have some damage, some people would say, but I was very thankful I had a helmet on.

"I also had a very good friend that came within just inches of losing his life up in Kahaluu. I think it's very important, really this bill to educate people, because it's four wheels people think they're much more secure than they are. They're top heavy. They're very easy to flip over. So this could save a lot of lives. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF MINORS ON ALL-TERRAIN VEHICLES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 87-08) recommending that H.B. No. 2267, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2267, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 88-08) recommending that H.B. No. 2860, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2860, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Transportation with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 89-08) recommending that H.B. No. 2891, as amended in HD 1, pass Second Reading and 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.B. No. 2891, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 90-08) recommending that H.B. No. 2939, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2939, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in strong support with comments for the International Space Center that is being established on the Big Island, 90-08. In strong support with comments in the Journal. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for House Bill 2939, which will appropriate funds to the Pacific International Space Center for Exploration Systems (PISCES) on the Island of Hawaii.

"PISCES has led to a new curriculum for aerospace studies at the University of Hawaii at Hilo. It has teamed UH researchers with their peers at NASA to enhance our State's aerospace research and development programs, and it will expand opportunities for aerospace studies in our local primary and secondary schools. It is critical for the students of our State that they receive greater opportunities in math and science education. Our aerospace studies students will face increased competition in the global marketplace,

and it is critical that we increase the opportunities for these students at our higher education institutions.

"Our State's diverse natural resources, unique geographic terrain, first-class technological infrastructure, and resident scientific and engineering expertise make it an ideal location to develop, grow, and sustain these programs. In turn, these programs will have a positive effect on our community, on the education of our students, and ultimately on our economy. Thus, I believe that PISCES is of great benefit to our State, and I give it my full support. Thank you for this opportunity to offer my support for this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2939, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 91-08) recommending that H.B. No. 2022, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, and the report of the Committee was adopted and H.B. No. 2022, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN'S HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 92-08) recommending that H.B. No. 2464, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2464, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2464, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 93-08) recommending that H.B. No. 2608, pass Second Reading and be referred to the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2608, pass Second Reading and be referred to the Committee on Health, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2608, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Health with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 94-08) recommending that H.B. No. 3186, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3186, entitled: "A BILL FOR AN ACT RELATING TO PRISON LITIGATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 95-08) recommending that H.B. No. 2212, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2212, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2212, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Har and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 96-08) recommending that H.B. No. 2168, pass Second Reading and 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.B. No. 2168, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 97-08) recommending that H.B. No. 2351, pass Second Reading and 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.B. No. 2351, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE PACIFIC AVIATION MUSEUM PEARL HARBOR," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 98-08) recommending that H.B. No. 2373, pass Second Reading and 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.B. No. 2373, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOOKINI HEIAU," passed Second Reading and was referred to the Committee on Finance with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 99-08) recommending that H.B. No. 2372, as amended in HD 1, pass Second Reading and 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.B. No. 2372, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 100-08) recommending that H.B. No. 2587, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Education and 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.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," passed Second Reading and was referred jointly to the Committee on Education and the Committee on Higher Education with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 101-08) recommending that H.B. No. 3067, as amended in HD 1, pass Second Reading and 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.B. No. 3067, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH A CREATIVE CENTER INCUBATOR," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 102-08) recommending that H.B. No. 3428, as amended in HD 1, pass Second Reading and 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.B. No. 3428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 103-08) recommending that H.B. No. 3348, as amended in HD 1, pass Second Reading and 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.B. No. 3348, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 104-08) recommending that S.B. No. 1035, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 1035, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY COMMEMORATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 105-08) recommending that H.B. No. 2169, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 106-08) recommending that H.B. No. 2170, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2170, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 107-08) recommending that H.B. No. 2171, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Har and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

The following concurrent resolution (H.C.R. No. 61) was announced by the Clerk and the following action taken:

H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was offered by Representative Say.

Representative Evans moved that H.C.R. No. 61 be adopted, seconded by Representative Takai.

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

"Thank you. I just wanted to share a few words, and I wanted to thank the citizens of the State of Hawaii, the Legislature, all the people here at the State Capitol, and our staff that will support all efforts for the upcoming Medal of Honor ceremony that we're going to have here in our Chamber.

"I also want to thank you for welcoming all the families that will travel from around the United States that will come here that day to honor those fallen soldiers that have ties here to Hawaii. Thank you, very much."

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

"Thank you, Mr. Speaker. I'd like to insert written comments in support. Thank you, but just add that the Hawaii Medal of Honor is going to be awarded in this Chamber Mr. Speaker, before a Joint Session of the Legislature. And please take note Members, it will be Tuesday, March 25 at 2:00 p.m. We made some adjustments to the previous years' timing and decided that it was in the best interest of both Houses to move it to 2:00 p.m. March 25, 2008. Thank you, Mr. Speaker."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I speak in strong support of this measure.

"It has almost been five years since the War on Terrorism began. While there continues to be much debate for and against this war, there is no debate about the tremendous sacrifices made by our service members and their families. Between March 29, 2003 and January 31, 2008, we in Hawaii have lost 219 servicemembers, who have sacrificed their lives while in the line of duty. We lost 31 servicemembers during the past year. To pay a special tribute to these heroes and to their families, we passed House Bill 8 in 2005, which became Act 21. House Bill 8 created the Hawaii Medal of Honor.

"This special medal is awarded on behalf of the people of the State of Hawaii to an individual who has been killed in action while serving our country as part of Operation Iraqi Freedom and Operation Enduring Freedom. Recipients of the Hawaii Medal of Honor include members of the United States Armed Forces, the United States military reserves, and the Hawaii National Guard, who were residents of the State of Hawaii, attended an educational institution in Hawaii, or were stationed in Hawaii by order of the United States Department of Defense.

"The Hawaii Medal of Honor will be awarded to family representatives of these men and women at a ceremony held during a Joint Session of this Legislature on Tuesday, March 25, 2008 at 2 p.m. in this Chamber. Families have been invited from towns like Middlefield, Massachusetts and Kingston Springs, Tennessee to as far as the Philippines and Morocco to attend this ceremony.

"Three years ago while serving on active duty, I had the responsibility of serving as the Casualty Assistance Officer for the family of Sergeant Deyson Cariaga, the Hawaii Army National Guard's only casualty from Hawaii during the recent deployment of the 29th Brigade Combat Team. That duty, the duty as Casualty Assistance Officer, was my most difficult challenge in my entire National Guard career. The Cariaga Family and Mrs. Theresa Inouye, his mother in particular, continue to grieve for their loss. I don't wish what they have experienced and continue to experience on any family. This Resolution and the actions that we have and will take are to honor soldiers, like Sergeant Cariaga, and parents like Theresa Inouye.

"In the past five years, the War against Terrorism has changed our world and our lives in a profound way. Ultimately, it's not about politics, it's not about money, and it's not even about winning. It's all about the families and their loved ones and what these brave men and women sacrificed for our country. Thank you."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in strong support of H.C.R. 61, awarding the Hawaii Medal of Honor to service members with ties to Hawaii.

"In my eyes it is only a small token of our appreciation, but one that we must do. The sacrifices these soldiers and their families make in the name of freedom can never fully be awarded or honored. These are ordinary people with extraordinary values voluntarily offering some of their most precious years in the service of our great country. These Soldiers, Sailors, Airmen, Marines and Coast Guardsmen sacrificed their ambitions so our country's men and women can dream and accomplish their own. They distinguish themselves through selfless service and demonstrate extreme courage, gallantry, and valor.

"These Hawaii honorees made the ultimate sacrifice and gave their life for us. We must never forget. Thank you Mr. Speaker."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.C.R. No. 61 – which awards the Hawaii Medal of Honor to United States Military service members with Hawaii connections killed in action while serving in dangerous, volatile, and unstable areas of the world, including Iraq and Afghanistan. This Resolution, offered by Representative Say, honors and remembers the sacrifice of armed forces heroes with ties to Hawaii who fought and died bravely for the United States of America.

"As a central location of armed forces training and preparation, the State of Hawaii has sent many of its own National Guard and Military Reserves service members and United States Air Force, Army, Marine Corps, and Navy service members to protect Iraqi and Afghan citizens. Many airmen, airwomen, soldiers, marines, and sailors with ties to Hawaii were called to serve in some of the most dangerous areas of Iraq and Afghanistan and came into contact with opposing forces on a daily basis. It was with utmost bravery that many heroes with ties to Hawaii were killed in action, sacrificing their lives to protect the lives of American and foreign citizens.

"The people of the State of Hawaii are enormously grateful for the service provided by these brave men and women and are greatly saddened by the loss of each armed forces member and stand by the surviving family members in support."

The motion was put to vote by the Chair and carried, and H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," was adopted with Representatives Har and Thielen being excused.

By unanimous consent, the following concurrent resolution (H.C.R. No. 62) was referred to Printing and further action was deferred:

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 offered by Representative Waters.

ANNOUNCEMENT

Speaker Say: "The Chair has an announcement for the respective Committee Chairs and Vice Chairs on behalf of the House Majority Staff Office and the Chief Clerk's Office. Please get your triple referral bills in as early as possible. The deadline is on Thursday."

ADJOURNMENT

At 12:44 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 5, 2008. (Representatives Har and Thielen were excused.)

THIRTEENTH DAY

Tuesday, February 5, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Angus L.K. McKelvey, after which the Roll was called showing all members present with the exception of Representatives Souki, Tokioka and Ward, who were excused.

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

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 5) was received and announced by the Clerk:

Sen. Com. No. 5, transmitting H.B. No. 2688, H.D. 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," which passed Third Reading in the Senate on February 4, 2008.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Karamatsu introduced the 5th grade students from Honowai Elementary School. They were accompanied by their teachers, Ms. Sheri Schmitt, Ms. Sharon Okino; and educational assistant, Ms. Noreen Pan.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2169, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
2170, HD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2171, HD1	Committee on Health, then to the Committee on Finance
2853	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce
3251	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
3333	Committee on Economic Development & Business Concerns, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 108-08) recommending that H.B. No. 3407, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3407, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you very much, Mr. Speaker. May I have a ruling on a potential conflict? I am a partner in a gas station. Thank you," and the Chair ruled, "no conflict."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 3407, repealing the service station anti-encroachment laws. Gas prices are sky-rocketing and as we work towards reducing the dependency on fossil fuels, we need to take a look at policy changes that will affect the issue now.

"Divorcement or anti-encroachment laws as it is known now, are roadblocks to competition and increase the costs of gasoline distribution. Published economic studies from both the Federal Trade Commission and the National Bureau of Economic Research have found that anti-encroachment laws tend to increase retail prices by as much as 2.6 cents per gallon. This 2.6 cents per gallon of regular unleaded gasoline costs consumers $100,000 annually.

"Without anti-encroachment laws, existing refineries would be allowed to build additional service stations in advantageous locations and new entrants will have a choice of operating their own stations instead of using franchised dealer's stations. The increased competition will reverse the negative effect of regulation, facilitating a fair return on dealers' service stations.

"Repealing anti-encroachment laws was one of several recommendations made in the Stillwater Report and I am glad that we are taking it up.

"The bottom line is with an increase in competition, the potential for reduced retail price increases. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3407, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 109-08) recommending that H.B. No. 3079, pass Second Reading and 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.B. No. 3079, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 110-08) recommending that H.B. No. 2811, pass Second Reading and 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.B. No. 2811, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Higher Education.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 111-08) recommending that H.B. No. 3211, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3211, entitled: "A BILL FOR AN ACT RELATING TO CLOTHESLINES," passed Second Reading and was referred to the Committee on Human Services & Housing.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 112-08) recommending that H.B. No. 3139, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3139, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," passed Second Reading and was referred to the Committee on Labor & Public Employment.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 113-08) recommending that H.B. No. 3055, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3055, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 114-08) recommending that H.B. No. 2935, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2935, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 115-08) recommending that H.B. No. 3009, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3009, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 116-08) recommending that H.B. No. 3321, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3321, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. No. 116 with written comments regarding how a bill that has come out has stood the notion of the original bill on its head. Courts that were going to be in Kapolei have been reversed to Downtown and vice versa. It's a transportation issue as much as it is legal. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to express my opposition to HB3321 HD1, which seeks to establish the Family Court in Kapolei as the location where all divorce, annulment and separation proceedings are to be heard.

"Mr. Speaker, this bill, if enacted, would present numerous difficulties to a variety of the stakeholders in the judicial system, including petitioners, agency representatives, as well as members of the judiciary. As currently crafted, this bill provides a method for any one of the numerous parties involved in divorce proceeding to obstruct and inconvenience other stakeholders by refusing to agree to a change in location. This is also critical for any type of proceeding that involves domestic violence as there are a number of parties involved including social workers, volunteers and case managers.

"Mr. Speaker, I also oppose this bill because I believe it is premature. There have been calls for studies to be conducted to determine if a new 4th circuit is needed. Until this determination has been made, the legislature should not assign the division of the court's responsibilities.

"Thank you for this opportunity to offer my opposition to this measure."

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

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

"Thank you, Mr. Speaker. On the same measure, I have some reservations. This is as originally introduced was to allow the parties in a divorce or annulment to select, if they all agreed, they could meet in town rather than go to Kapolei. I think we're trying to make things just reasonable so that people don't have higher legal fees because of having to pay travel time for lawyers if the people all reside in town. Thank you."

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

"Thank you Mr. Speaker, in support. I just wanted to briefly say that the reason that we changed the bill to say that the parties, in cases like these, would be heard in Kapolei, unless it stipulates to meeting in town. This is to support the intent of the Judiciary to really to move Family Court to Kapolei. It is also based on a lot of the testimony that was heard last year that said that the majority of the clients were from Leeward or other parts of the island that were more convenient to go to Kapolei. Thank you."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3321, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 580, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 117-08) recommending that H.B. No. 2657, as amended in HD 1, pass Second Reading and 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.B. No. 2657, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TENANT SCREENING AGENCIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 118-08) recommending that H.B. No. 3107, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3107, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like a ruling on a potential conflict on Standing Committee Report No. 118-08. My law firm may represent many owner-builders who could potentially be impacted by this legislation. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, on Stand. Com. 118-08, I have a reservation on this matter. I think this is too much. The title says that it is owner-builder permit disclosure. It's not really disclosure that this bill is asking for. It is mandating owner-builders to use licensed contractors, or subcontractors in altering, improving, demolishing, or repairing any building or structure.

"I think that this measure impedes upon the rights of individuals who want to improve their homes or extend their homes by mandating that subcontractors use it, and it will definitely increase the cost of homes. This is going into the privacy of people's lives in improving themselves. I am voting with extreme reservations. Thank you."

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

"Thank you, Mr. Speaker. I'm also rising with some strong reservations on this measure."

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

"Mr. Speaker, I would like a ruling on a potential conflict please. I have contractors in the family. Thank you," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3107, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 119-08) recommending that H.B. No. 3363, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3363, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUVENILE COURT RECORDS," passed Second Reading and was referred to the Committee on Education.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 120-08) recommending that H.B. No. 2195, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2195, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 120 maybe I should mention I have a conflict since I'm aging. But actually I'm in favor of this measure and I would ask that remarks in favor of this measure be inserted in the Journal," and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"I am in favor of HB 2195, HD 1, Relating to Aging. I support the efforts of the Legislature to increase funding for care of our elders, and to ensure that the needs of older adults and their family caregivers are maintained.

"The bill appropriates funds designed to increase the reach of necessary services such as adult day care, respite care, assisted transportation, attendant care, case management, chores, home-delivered meals, homemaker, transportation and personal care. These services are expensive for many seniors to access. As such, it enables more elders to maintain their lives at home with their families, without resorting to even more costly residential care homes.

"I support any and all efforts to assist our *kupuna*, and their beleaguered caregivers and their families."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2195, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGING," passed Second Reading and was referred to the Committee on Finance.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 121-08) recommending that H.B. No. 3377, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3377, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I would like to begin by saying that I appreciate all the hard work each Committee Chair has put into this increasingly complex measure. That being said, vehicle ignition interlocks have been acknowledged by all sides of this issue as an important tool in the deterrence of people driving cars under the influence of alcohol. All sides, from prosecutorial to the public defender, from enforcement to administrative, are ready to move ahead and begin sifting through the enormous number of statute revisions and implementation issues that will need to occur for this program to become law.

"While concerns have been raised about implementation and oversight, this is exactly the kind of input that we need to craft an effective, well-thought out, and well-implemented program. With a delayed effective date and a taskforce to address these issues, we who crafted this legislation both recognized the need for further discussion and responded to the urgency that tragedy creates on our crowded highways. I ask you, my colleagues for your support, in moving this important legislation forward. Thank you, Mr. Speaker."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support or H.B. 3377, which establishes an ignition interlock statute. The ignition interlock system would provide an economical and technically feasible solution to help reduce the rising number of alcohol-related fatalities and injuries. Hawaii is one of only five states without an ignition interlock statute, and only three other states have alcohol-related traffic fatality percentage rates higher than Hawaii. In fact, there were 79 alcohol-related traffic fatalities in 2007. Those 79 deaths represent 49.1% of all Hawaii's traffic fatalities last year.

"States such as New Mexico, West Virginia, and Ohio who have implemented some form of an ignition interlock system have seen significant decreases in relapse rates. With modern safeguards, ignition interlock systems are difficult to circumvent when properly installed and monitored. Measures such as periodically requiring a retest while the car is running or a camera taking a picture of the person blowing into the receptacle, need to be incorporated to prevent possible circumventions.

"The program will give our courts an alternative to full license suspension and it allows offenders to maintain their responsibilities like picking up the kids or driving to work, while reminding them that their behavior has a direct impact on their right to drive.

"H.B. 3377 coincides with part of the Minority Caucus Package for Safe and Sober Streets. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3377, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 122-08) recommending that H.B. No. 3246, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3246, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Just to say I am in strong support of Stand. Com. Report 122."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3246, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Judiciary.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 123-08) recommending that H.B. No. 3196, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3196, HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns.

Representatives Souki and Yamashita, for the Committee on Transportation and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 124-08) recommending that H.B. No. 2406, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2406, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative B. Oshiro.

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

"Thank you, Chair. I'm sorry. I was so excited about speaking on this that I was on the wrong page. I rise in support of Stand. Com. Report No. 124, Relating to School Buses. If I may, I'd like to give a short speech on this because I'm afraid I won't get to give a speech after this.

"For years in Hawaii there's been opposition to this law because of outdated research which was done many years ago. But it is a fact that children do die in seat belt accidents across the United States at an average of 11 per year. And just because no one in Hawaii has died in a school bus crash, it's no reason for us to ignore the facts.

"The American Association of Pediatrics estimate 6,000 to 10,000 children are injured in school bus crashes each year and would have been spared injury if they were wearing lap/shoulder belts. Seat belts would help reduce or prevent injuries in roll-over crashes and side crashes more than mere compartmentalization, the current safety method used for school buses.

"According to the 2007 National Highway Safety Administration Notice of Proposed Rulemaking, shoulder/lap seat belts would make a child safer on large school buses. Many children stand on the bus.

This practice could be eliminated if students were required to wear safety belts. This would also aid the discipline problem.

"Let's not quibble about the costs when it comes to safety. Employing seat belts on school buses is not prohibitively expensive if it's done on a graduated schedule and calling for newly acquired buses to have seat belts first. Prevention is the new cost-saving strategy in healthcare. Would we wait to give a diabetic insulin until he lapsed into coma? Would we prefer spending the money on rehabilitation from brain injury before acting to decrease risks? Of course not.

"Seat belt laws have been passed in New York, New Jersey, Florida, Texas, Kansas and California. Hawaii should follow their lead. How can we insist that children be placed in booster seats, car seats and seat belts in private cars, yet send them off to school beltless. This is a no-brainer. Thank you, Mr. Speaker."

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

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

"Thank you, Mr. Speaker. In support. May I have the comments of the good Representative of Mililani enter the record as if they were my own? As one of the introducers of the bill I'd just like to let the Members know that the impetus of this legislation didn't come from a special interest group or a lobbying firm. It came from countless emails, letters and phone calls from grandparents, parents and even kids themselves who think that we need to look at this issue. Thank you."

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

"Thank you, Mr. Speaker. I stand in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL BUSES," passed Second Reading and was referred to the Committee on Education.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 125-08) recommending that H.B. No. 3101, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3101, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 126-08) recommending that H.B. No. 2253, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2253, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 127-08) recommending that H.B. No. 2228, as amended in HD 1, pass Second Reading and 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.B. No. 2228, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 128-08) recommending that H.B. No. 2259, as amended in HD 1, pass Second Reading and 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.B. No. 2259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 129-08) recommending that H.B. No. 2395, as amended in HD 1, pass Second Reading and 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.B. No. 2395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 130-08) recommending that H.B. No. 2415, as amended in HD 1, pass Second Reading and 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.B. No. 2415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 131-08) recommending that H.B. No. 2473, as amended in HD 1, pass Second Reading and 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.B. No. 2473, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 132-08) recommending that H.B. No. 2417, as amended in HD 1, pass Second Reading and 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.B. No. 2417, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO AGRICULTURAL COOPERATIVES," passed Second Reading and was referred to the Committee on Finance.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 133-08) recommending that H.B. No. 2739, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2739, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support. Enterprise Zones are a valid and proven means to stimulate growth in frontier economies. In recent years the Legislature has sought to provide stimulus through this tool in areas such as Kapolei.

"Kapolei, the "Second-City," also known as the "New City" and relief district for urban pressure, has been given Enterprise Zone status with the intent of nurturing such growth. Though well-intentioned, some of the provisions of the Enterprise Zone designation have proved cumbersome in some instances, and discouraging in others. The current law provides for a mandatory ten percent increase in workforce to qualify for the credit. With our low unemployment rate and extensive background reviews in mind, this bill will allow a three year respite from the workforce increase requirement.

"This bill will give young businesses and satellite offices of established businesses the time they need to get on their feet and find qualified employees. In keeping with the intent of the original legislation, beyond the three initial years a business will be asked to provide proof of workforce increase at a more significant level, namely fifteen percent. As such, this measure will continue to create the jobs Enterprise Zones were designed for while providing businesses with a time incentive to invest in these zones. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 134-08) recommending that H.B. No. 2245, as amended in HD 1, pass Second Reading and 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.B. No. 2245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 135-08) recommending that H.B. No. 2458, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2458, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On page 8, Stand. Com. No. 135. I am in support. I just wanted to point out for the Members of the Finance Committee, and the other Members of this body that the College Savings Program started about six years ago without this particular tax deduction on the front end because we could not afford it back then. We just transitioned from the initial company Delaware Investments to this company called Upromise which uses Vanguard as its financial tool.

"However, in the transition, because we had as a state, almost no leverage, Vanguard now charges each participant $20 a year, whereas Delaware Investments, the prior company that managed the 529 Program, charged nothing. So in the hearing I asked the Budget Director whether she could request Upromise to waive the $20 charge to any current and new member that participates in the 529 program if this bill passes. If this bill passes, what it means to that particular company is a tremendous windfall because many people who are now invested in Fidelity, other Vanguard products outside of Hawaii, TIAA-CREF out of California or New York, will then point the deposits for their kids and grandkids and relatives to our program, because we will be the only one that Hawaii residents can utilize to partake in this tax deduction.

"So I would strongly urge the Members of the Finance Committee and the other Members who are concerned about this to make your concerns known to the Administration and specifically to the Budget Director. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support of Standing Committee Report 135-08, Relating to College Savings Programs.

"House Bill 2458, HD1 provides an opportunity for Hawaii families to invest in their children's future by allowing them to claim an annual maximum income tax deduction of $10,000 per individual. This tax deduction is needed to help those families who want their child to go to college and don't want to be penalized by the government for saving for their child.

"The cost of a college education is rising every year. In 2006-2007, the University of Hawaii at Manoa's tuition for a Hawaii resident student was a little over $4300 a year for a full-time student. During the 2008-2009 school year, it will cost almost $6000 to attend the University of Hawaii for one school year. This figure does not include the cost for books, parking, and other fees. In a little over two years, the price to attend college at the University of Hawaii has increased over $1700.

"In Hawaii, many of our families have parents working two or three jobs to make ends meet. We need to give them an opportunity to save so their children will be able to attend school and provide a better future not just for their families, but also for Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2458, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," passed Second Reading and was referred to the Committee on Finance.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 136-08) recommending that H.B. No. 3226, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3226, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 137-08) recommending that H.B. No. 1062, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1062, HD 1, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like to stand in support on Stand. Com. Report No. 137-08, Relating to Tuition Assistance. I would like to submit written comments and remind Members that this is to help our National Guardsmen. Thank you."

Representative Yamane's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support of this measure. H.B. 1062, HD 1 extends the tuition assistance program for the Hawaii National Guard to include all commissioned and general officers and all National Guard members pursuing graduate degrees.

"This is an excellent opportunity to recognize and reward the selflessness, and sacrifices of our National Guard members. Members of the Hawaii National Guard represent our islands through humanitarian efforts within our State and country, and wartime operations internationally. We must as a legislative body, recognize these 'ambassadors' of our State by assisting our Hawaii National Guard members in achieving their educational goals. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1062, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUITION ASSISTANCE," passed Second Reading and was referred to the Committee on Higher Education.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 138-08) recommending that H.B. No. 2007, as amended in HD 1, pass Second Reading and 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.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Legislative Management.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 139-08) recommending that H.B. No. 2147, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2147, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I did have some strong reservations in regards to S.C.R. 139. This measure actually tries to provide incentives to lessen your time by doing earned time basically. I have some serious concerns as to how that would work out. Basically we need to have incentives that support changed behavior once back in the community. So although I have very strong reservations on this bill, I'd like to see how it might come up in a later form. Thank you."

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

"In support. Thank you. As Chair of the Public Safety & Military Affairs Committee, I had the opportunity to go to Kentucky and see our female inmates. I spoke to the warden and we had this discussion about Kentucky. They have this earned time program and it was from that discussion that I decided to bring it back and bring it forth to this legislative body to at least have this discussion about the possibility of giving incentives for our inmates to participate in programs that are offered by the Department.

"What one of the testifiers at our hearing said was that when he understood that there might be an earned time program because he actually was in a jail in Thailand for heroin trafficking, and they had earned time program there. He said that because it was an incentive for him to get involved in the program that the first year he was involved in it, it didn't mean anything to him. The second year he was involved, because he had a long sentence, he started paying attention. By the time the third year came around, he actually said it made sense to him what they were trying to teach him in the program. He said if there hadn't been an incentive he would have never even taken the program.

"So he was grateful that there was an incentive because that was the hook. That's what got him in the program and he said eventually he got the message. I don't think this precludes the Hawaii Paroling Authority from considering the record of the inmate and all the other things that go into determining if someone gets a reduced sentence. So I encourage the Judiciary Committee to further this discussion. Thank you."

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

"I just want to note my reservations. I just really believe that we should be keeping prisoners in prison longer. We started this Session and a baby was thrown off a bridge. And a guy who had 67 arrests who was supposed to have a 20-year sentence killed a women in broad daylight. I just feel like we're kind of going in the wrong direction and we need to get tougher on criminals and not give incentives to get out earlier. But I'll just vote with reservations because I'm on the Judiciary Committee."

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

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

"In strong support, Mr. Speaker. I don't think this measure is to address hardcore criminals. There are criminals, and there are hardcore criminals, and I think there can be reformed criminals. I think that this gives an opportunity for those people to make better of their lives and give them hope. So this is a tool, Mr. Speaker."

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

"Also in strong support. I really have to commend the Public Safety Committee for taking on this issue. We're looking at vast overcrowding of our prisons, and it is going to be addressed just like

with our roads – by building more. We really have to look, really, really re-think our drug laws, our laws about keeping people in jail, and really defining who needs to be kept in and who needs to be let out sooner. That's the only way we're going to address the problem."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2147, entitled: "A BILL FOR AN ACT RELATING TO PAROLE," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 140-08) recommending that H.B. No. 2828, pass Second Reading and 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.B. No. 2828, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPER SUCKER," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 141-08) recommending that H.B. No. 2457, pass Second Reading and 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.B. No. 2457, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 142-08) recommending that H.B. No. 2547, pass Second Reading and 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.B. No. 2547, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 143-08) recommending that H.B. No. 2614, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2614, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, one of the most important ingredients in a strong education is diversity. The Department of Education provides the public with education that is tailored to fit our educational needs, but broad enough to appeal to a wide array of students. Separate from the DOE's paradigm of education, private schools in Hawaii allow parents choice in pedagogy, diversity in education, and oftentimes a more focused approach to education than a larger institution can provide. The Island Pacific Academy was founded in 2003 to implement contemporary research about cognitive development in young minds. The Academy is also proud to focus on values such as community service and personal accountability.

"Diversity is also a large part of strong community building. Island Pacific Academy, though situated in Kapolei, services a varied student population from all along the Leeward coast up into Central O'ahu. Approximately thirty to thirty five percent of these students receive tuition assistance, transcending socio-economic barriers and encouraging larger-scale community building. This bill will issue Special Purpose Revenue Bonds to assist Island Pacific Academy in expanding their student body's programs and opportunities. An additional classroom building and a gymnasium are part of their expansion goals. Additional classes will allow the Academy to serve a larger portion of the community. A gymnasium will allow their athletic programs to be more competitive and offer a wider array of physical education to that energetic age.

"Perhaps most remarkable, Mr. Speaker, is the financial responsibility that this Academy has shown over the last few years. Act 109 of the Regular Session of 2004 authorized $20 million in Special Purpose Revenue Bonds for Island Pacific Academy's educational facilities. As of this year, the Academy has paid down over three quarters of the debt service for the original Act. This demonstrates investor confidence and community support, a support that we in the Legislature should be proud to mirror. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2614, entitled: "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 144-08) recommending that H.B. No. 2660, pass Second Reading and 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.B. No. 2660, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR ATHLETICS IN PUBLIC SCHOOLS," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 145-08) recommending that H.B. No. 2971, pass Second Reading and 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.B. No. 2971, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 146-08) recommending that H.B. No. 3219, as amended in HD 1, pass Second Reading and 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.B. No. 3219, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 147-08) recommending that H.B. No. 3220, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3220, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

"Mr. Speaker I'd like to ask for a ruling on a potential conflict of interest in regard to Stand. Com. Report 147-08. I'm currently representing a charter school in an appeal before the Board of Education. Thank you," and the Chair ruled, "no conflict."

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

"Yes, in strong support of 147-08. Charter schools are really proving themselves, especially in my community, to be the real innovators and the real leaders in experiential types of learning. They need all the help they can get in this approach. If we can't break down the Department of Education, then we can break out and create better ways to do things. Thank you."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on Standing Committee Report number 147-08, Relating to Education.

"This bill allows the Board of Education to remove members of the Charter School Review Panel. I am supportive of requiring the Review Panel to abide by the "sunshine" law, but I am worried about the possible controversy that could occur with this legislation. When the Board of Education abruptly removed the Executive Director of the Charter School Administration, the unfounded decision brought even greater distrust between charter schools and the Board of Education.

"I believe this bill is too broad and needs to be revised. As written, the Board of Education can remove a Charter School Review Panel member without cause. This could give the Board of Education the power to remove anybody who does not totally agree with them. This could render the Review Panel as nothing more than a "rubber stamp" panel. We need an independent and strong review panel that will review and monitor charter schools without the fear of being reprimanded by the Board of Education. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I just wanted to clarify my vote with reservations and offer short comments. With regard to this Charter School bill, I'm not sure as to why the Charter School community did not come out to testify. And so I'm unclear as to whether or not this is a good bill for them or not.

"There are two parts of this bill. One of which is for the Board to be able to take people off the Charter School Panel, and with that I just don't know if that's a good thing for them especially since the Charter School Panel just started up. The second part of the bill is fine with me in regards to sunshine and having them subject to the Sunshine Law. Thank you."

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

"With reservations on the same measure, Mr. Speaker. I think instead of frightening and making fearful the members of the Charter School Board, we need to encourage them so they don't have to say something and then fear removal. If we sat on this Floor and every time we spoke we could have a vote of confidence, I don't think anybody would be standing up and speaking.

"If we're going to have strong Charter Schools, we need to be innovative and creative and that means speaking out and not fearing that you're going to be removed. I know some people would like them to be removed. In fact maybe the whole Charter School System should be removed in some people's opinion. But they're there, they're working, we need to give them an opportunity, and this is just the kind of a bill that may tend to frighten them rather than encourage them. Thank you."

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

"On the same measure, in strong support. If the Charter School Commission were there, were working and were getting things done, this bill wouldn't be necessary."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3220, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 148-08) recommending that H.B. No. 2141, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Education.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 149-08) recommending that H.B. No. 2015, as amended in HD 1, pass Second Reading and 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.B. No. 2015, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 150-08) recommending that H.B. No. 2413, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2413, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I am writing in support of House Bill No. 2413 to provide an income tax credit to physicians practicing in medically underserved areas of our State. In order to address the need for medical access to the poor and uninsured in these underserved areas, this bill aims to reduce the burden of high malpractice insurance premiums for physicians who start a new practice and those already practicing in underserved areas.

"In addition to increasing medical reimbursements, mandating direct payment to providers, and funding scholarships for healthcare workers, this measure is an important piece to an overall strategy to solving Hawaii's healthcare crisis.

"Thank you for this opportunity to offer my strong support for House Bill No. 2413."

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

"Thank you, Mr. Speaker. I just wanted to get a ruling on a potential conflict of interest. This bill would give a tax credit on doctors working in medically underserved areas against their medical malpractice. I do work in those areas, but I don't pay medical malpractice because I'm an employee and it wouldn't apply to me specifically. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2413, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAXATION," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 151-08) recommending that H.B. No. 2569, as amended in HD 1, pass Second Reading and 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.B. No. 2569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 152-08) recommending that H.B. No. 3146, as amended in HD 1, pass Second Reading and 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.B. No. 3146, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading and was referred to the Committee on Finance.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 153-08) recommending that H.B. No. 2435, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2435, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," passed Second Reading and was referred to the Committee on Human Services & Housing.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 154-08) recommending that H.B. No. 2495, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2495, HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising on Stand. Com. Report No. 154-08, with strong reservations. The purpose of this bill is to protect Hawaii's fragile environment by prohibiting the use of polystyrene foam commonly known as Styrofoam as a disposable food service or a product.

"There are so many uses for Styrofoam that are much larger. On all kinds of packing material, there's no restriction on that. This would mostly hit the fast food operations. It would create a huge expense for them. I'm sure they buy all these things in bulk, although I didn't look at when this would kick in, maybe that's been considered. This is such a small thing.

"There was a big article in the paper this weekend about how we're losing the battle. Garbage is not decreasing, and we passed a bottle bill to do something about that when we knew that the bottle bill would only maybe at best, make up about 3 percent of solid waste. These Styrofoam things crush into hardly anything. Again this is sort of a feel-good thing, but I think it could cost the operators who use these things a lot of money. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2495, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 155-08) recommending that H.B. No. 2529, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2529, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD SAFETY," passed Second Reading and was referred to the Committee on Judiciary.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 156-08) recommending that H.B. No. 2510, as amended in HD 1, pass Second Reading and 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.B. No. 2510, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Second Reading and was referred to the Committee on Legislative Management.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 157-08) recommending that H.B. No. 2289, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2289, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. 157-08 I would like to vote in opposition of this measure. If you look at the bill, it looks like it's a very good bill, however there are some implications on the negative end on this because every year we are reducing long-term care providers and not developing new ones. Part of the reason why we're losing them is because of over-regulation. Creating an Ombudsman is a duplicative service because there are now departments that monitor long-term care.

"What we need to be looking at are ways to improve the payment for long term care as opposed to giving the money to people who can micro-mange them more. We don't have a lot of abuse and neglect of long-term care. I think this is now an agency where providers that are being micro-managed, and creating ways to help them develop themselves, and paying them better is the way we should be going because we're all aging, and there's a great disparity of the number of people needing care and the care providers. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2289, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," passed Second Reading and was referred to the Committee on Finance with Representative Cabanilla voting no.

Representative Tsuji, for the Committee on Agriculture presented two reports:

(Stand. Com. Rep. No. 158-08) recommending that H.B. No. 2451, pass Second Reading and be referred to the Committee on Higher Education; and

(Stand. Com. Rep. No. 159-08) recommending that H.B. No. 2452, pass Second Reading and be referred to the Committee on Higher Education.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.B. No. 2451 and H.B. No. 2452, pass Second Reading and be referred to the Committee on Higher Education, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker, I'd like to collectively rise in support of these two measures, 158-08 and 159-08. Thank you Mr. Speaker, I rise in strong support of these two measures. These are about education, preservation and also sustainability of taro in Hawaii. These bills are meant to improve our taro farmers' ability to sustain themselves and to expand and improve their long-term success. I stand steadfast and unwavering in strong support of these two measures and I urge my colleagues to do the same. Mahalo."

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

"Thank you, Mr. Speaker. On Stand. Com. Report Nos. 158 and 159, I voted with reservations in Committee. I did that because when we heard these bills along with a few others that I wish we were also voting on, but I don't see them here today, we had had some very compelling testimony from some taro farmers. One in particular was from Waipio Valley who came down from the Big Island.

"There had been a taskforce this past summer, pulling everybody together and working I think from the Department of Ag and some people from the University. That testifier made it very clear that they felt that all these bills were premature and they would prefer that nothing be done. They would like to continue the conversation that they were having that they felt was extremely fruitful.

"So I haven't seen any emails. I've seen nothing that would lead me to believe that they have changed their mind. If I find that so, it will certainly take away any reservation that I have. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.B. No. 2451, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education; and

H.B. No. 2452, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Higher Education.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 160-08) recommending that H.B. No. 602, as amended in HD 1, be recommitted to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was recommitted to the Committee on Education.

ADJOURNMENT

At 12:40 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 6, 2008. (Representative Sonson was excused.)

FOURTEENTH DAY

Wednesday, February 6, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Dr. Kalani Brady from the John A. Burns School of Medicine, after which the Roll was called showing all members present with the exception of Representatives Nakasone, Shimabukuro, Takai and Ward, who were excused.

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

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 52) was received by the Clerk and was placed on file:

Dept. Com. No. 52, from Theodore E. Liu, Department of Business, Economic Development & Tourism, transmitting the 2006 Robert C. Schmitt Commemorative Edition of the State of Hawaii Data Book.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Finnegan introduced Mr. Dennis Dunn, Vice Chair for the Hawaii Commission for National and Community Service, and welcomed the volunteers from the Americorps and VISTA and Senior Corps programs.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

H.C.R. Nos.	Referred to:
62	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
63	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
602, HD1	Committee on Education, then to the Committee on Finance
1895	Committee on Judiciary, then to the Committee on Finance
2296	Jointly to the Committee on Energy & Environmental Protection and the Committee on Judiciary, then to the Committee on Finance
2611	Committee on Finance
2662	Committee on Human Services & Housing, then to the Committee on Finance
2671	Committee on Finance
2956	Committee on Finance
3172	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
3174	Committee on Judiciary, then to the Committee on Finance
3178	Committee on Judiciary, then to the Committee on Finance
3261	Jointly to the Committee on Energy & Environmental Protection and the Committee on Judiciary
3390	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 161-08) recommending that H.B. No. 2588, as amended in HD 1, pass Second Reading and 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.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Higher Education with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 162-08) recommending that H.B. No. 3072, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3072, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 163-08) recommending that H.B. No. 3054, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3054, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 480, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 164-08) recommending that H.B. No. 3170, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3170, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 165-08) recommending that H.B. No. 2997, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2997, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like a ruling on a potential conflict on Standing Committee Report No. 165-08, House Bill 2997. I represent design professionals in the regular course of my law practice. Thank you," and the Chair ruled "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2997, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Second Reading and was referred to the Committee on Judiciary with Representative Sonson voting no, and with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 166-08) recommending that H.B. No. 3127, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3127, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 167-08) recommending that H.B. No. 3128, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3128, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 168-08) recommending that H.B. No. 3129, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3129, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm trying to get organized here. I would like to stand up in support for S.C.R. 168-08. I would just like to add that if we're going to be asking this of our social service programs, I think this should be extended to everyone, including the Legislature. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3129, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 169-08) recommending that H.B. No. 3135, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3135, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3135, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL REVENUE MAXIMIZATION IN THE JUDICIARY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 170-08) recommending that H.B. No. 3163, as amended in HD 1, pass Second Reading and 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.B. No. 3163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 171-08) recommending that H.B. No. 3290, as amended in HD 1, pass Second Reading and be referred to the Committee on International Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3290, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSISTING PERSONS UNDER A COMPACT OF FREE ASSOCIATION," passed Second Reading and was referred to the Committee on International Affairs with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 172-08) recommending that H.B. No. 1982, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1982, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

"I just wanted to note my reservations on this bill. It originally was a bill that would want to look into customer service of all our different departments, and its been narrowed down to just looking into the customer service levels of Hawaii Public Housing Authority, and that's one department where they clearly know a lot of things are going on. It's wrong and they want to do better, but we just don't provide them more money. So if we just give them more money, and the money that would be used in this bill, we should just give it to them because I'm sure that they'll know what to do with it to improve their customer service. Thanks."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1982, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTOMER SERVICE," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 173-08) recommending that H.B. No. 2441, pass Second Reading and be referred to the Committee on Education.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2441, pass Second Reading and be referred to the Committee on Education, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in opposition to Stand. Com. Rep. 173-08. This bill would provide workers' compensation coverage for students participating in school-approved, work-based learning programs. They would theoretically be covered whether they're working for a public or a private employer. I believe this will raise the cost of workers' comp to everybody and I don't think it's necessary. Thank you."

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

"On that same measure, in strong support. This will provide workers' compensation benefits for those students that you sometimes see in our offices who are volunteering. It's already done in the private side. The private side already allows workers' compensation benefits to those volunteers, the same person, same people, same volunteers. This is just extending it so when you volunteer in government, in public offices, that will be also extended the same coverage.

"I think it is good to protect those volunteers that come to our Legislature and to help us, and also so that they will be able to pay experiences in the Legislature and maybe someday become Governor."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Education with Representative Meyer voting no, and with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 174-08) recommending that H.B. No. 2390, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2390, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2390, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Marumoto and Pine voting no, and with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 175-08) recommending that H.B. No. 3085, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3085, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 176-08) recommending that H.B. No. 3398, as amended in HD 1, pass Second Reading and 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.B. No. 3398, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LANGUAGE PROGRAMS," passed Second Reading and was referred to the Committee on Higher

Education with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 177-08) recommending that H.B. No. 2485, as amended in HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2485, HD 1, pass Second Reading and be referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2485, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRES," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 178-08) recommending that H.B. No. 3367, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3367, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 179-08) recommending that H.B. No. 2533, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2533, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," passed Second Reading and was referred to the Committee on Education with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 180-08) recommending that H.B. No. 3244, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3244, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I support this measure.

"A study released by the Department of the Attorney General found that 50% of children who were witness to domestic violence against their mothers showed symptoms of post traumatic stress disorder.

"The Crime Victim Compensation Commission believes that the elderly are more likely to be psychologically harmed by witnessing a violent crime, and should be able to receive compensation covering the costs necessary to receive mental health counseling.

"Two recent murders have left behind many witnesses who will be in need of professional mental health counseling services in order to heal from the brutal scenes they were exposed to: those witness to the beating to death of Janel Tupuola, a mother of five in Kailua; those unexpectedly, involuntarily involved in the murder of Cyrus Belt, a child thrown onto the H-1 Freeway.

"Due to these events, and many others which continue to occur in our communities, I believe it is necessary to enable the Crime Victim Compensation Commission to provide mental health counseling services to those involuntarily impacted by brutal crimes, abuse, and trauma."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3244, entitled: "A BILL FOR AN ACT RELATING TO COMPENSATION OF CRIME VICTIMS AND WITNESSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 181-08) recommending that H.B. No. 2283, pass Second Reading and 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.B. No. 2283, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 182-08) recommending that H.B. No. 2291, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2291, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2291, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 183-08) recommending that H.B. No. 2530, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2530, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 184-08) recommending that H.B. No. 2881, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2881, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 185-08) recommending that H.B. No. 3176, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3176, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 186-08) recommending that H.B. No. 3177, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3177, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 187-08) recommending that H.B. No. 2224, pass Second Reading and 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.B. No. 2224, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 188-08) recommending that H.B. No. 3095, pass Second Reading and 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.B. No. 3095, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 189-08) recommending that H.B. No. 3106, pass Second Reading and 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.B. No. 3106, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 190-08) recommending that H.B. No. 2445, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVERTISING BY MANUFACTURERS OF PRESCRIPTION DRUGS AND DISCLOSURE OF CLINICAL TRIALS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 191-08) recommending that H.B. No. 2519, as amended in HD 1, pass Second Reading and 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.B. No. 2519, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 192-08) recommending that H.B. No. 2450, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2450, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 193-08) recommending that H.B. No. 2293, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2293, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I want to disclose a potential conflict on Stand. Com. Rep. No. 193. My wife is Vice Chair of the Bank of Hawaii, and Bank of Hawaii is the trustee for the Galbraith Lands. Thank you," and the Chair ruled, "no conflict."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2293, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 194-08) recommending that H.B. No. 2593, pass Second Reading and 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.B. No. 2593, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 195-08) recommending that H.B. No. 2594, pass Second Reading and 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.B. No. 2594, entitled: "A BILL FOR AN ACT RELATING TO IRRIGATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 196-08) recommending that H.B. No. 2810, pass Second Reading and 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 Committees was adopted and H.B. No. 2810, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 197-08) recommending that H.B. No. 2965, as amended in HD 1, pass Second Reading and 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 Committees was adopted and H.B. No. 2965, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 198-08) recommending that H.B. No. 2085, as amended in HD 1, pass Second Reading and 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.B. No. 2085, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

At 12:23 o'clock p.m., Representative Yamane requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:25 o'clock p.m.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 199-08) recommending that H.B. No. 509, as amended in HD 1, be recommitted to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 509, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was recommitted to the Committee on Transportation with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 200-08) recommending that H.B. No. 1974, as amended in HD 1, be recommitted to the Committee on International Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1974, HD 1, be recommitted to the Committee on International Affairs, seconded by Representative B. Oshiro.

Representative Yamane rose, stating:

"Thank you, Mr. Speaker. I'm standing on Stand. Com. Report No. 200-08. As Chair of the Tourism Committee, I do hope that depending on the outcome from the International Affairs Committee, that people look at the bill. It has developed polices that promote transportation between, and tourism with other countries. So depending on the affect on tourism, this Chair reserves a right to request that it be referred to the Committee on Tourism and Culture. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1974, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," was recommitted to the Committee on International Affairs with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 201-08) recommending that H.B. No. 1975, as amended in HD 1, be recommitted to the Committee on International Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1975, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," was recommitted to the Committee on International Affairs with Representatives Nakasone, Shimabukuro, Takai and Ward being excused.

INTRODUCTION OF RESOLUTION

By unanimous consent, the following concurrent resolution (H.C.R. No. 63) was referred to Printing and further action was deferred:

H.C.R. No. 63, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CREATING A RENEWABLE ENERGY SUB-DISTRICT CLASSIFICATION OF LANDS AS PERMISSIBLE LOCATIONS FOR RENEWABLE ENERGY GENERATION AND TO STUDY, WITH THE ASSISTANCE OF THE DEPARTMENT OF TAXATION, THE COST OF PROVIDING A NON-REFUNDABLE INCOME TAX CREDIT TO RESIDENTS OF COMMUNITIES OF RENEWABLE ENERGY SUB-DISTRICTS THAT PRODUCE RENEWABLE ENERGY," was offered by Representative Karamatsu.

ANNOUNCEMENT

Representative Green: "Thank you, Mr. Speaker. Your Committee on Health would like to reconvene for 45 minutes to an hour in Room 329 to hear one more bill that was on our agenda this morning, House Bill 1598. We will also do some decision-making on four of the bills. We got everything else out this morning."

ADJOURNMENT

At 12:26 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 7, 2008. (Representatives Nakasone, Shimabukuro and Takai were excused.)

FIFTEENTH DAY

Thursday, February 7, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Ms. Leolani Oyama of Representative John Mizuno's office, after which the Roll was called showing all members present with the exception of Representative Takai, who was excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the First, Second, Third, Fourth, Fifth, Sixth and Seventh Days were approved. (Representative Takai was excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 252) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 252, dated February 1, 2008, transmitting the Report on the Congresswoman Patsy T. Mink Commission for the period of December 16, 2006 through December 15, 2007.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 6) was received and announced by the Clerk:

Sen. Com. No. 6, returning H.C.R. No. 61, entitled: "HOUSE CONCURRENT RESOLUTION AWARDING THE HAWAII MEDAL OF HONOR TO UNITED STATES MILITARY SERVICE MEMBERS WITH HAWAII CONNECTIONS KILLED IN ACTION WHILE SERVING IN DANGEROUS, VOLATILE, AND UNSTABLE AREAS OF THE WORLD, INCLUDING IRAQ AND AFGHANISTAN," which was adopted by the Senate on February 6, 2008.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 53) was received by the Clerk and was placed on file:

Dept. Com. No. 53, dated January 31, 2008, from David McClain, President, the University of Hawai'i System, transmitting the Annual Report on the University of Hawaii's Continued Participation in the Western Interstate Commission of Higher Education.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Evans introduced Mr. Rick Masters and Mr. Keith Scott with the Council on State Governments' National Center for Interstate Compacts, in Lexington, Kentucky.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
509, HD1	Committee on Transportation, then to the Committee on Consumer Protection & Commerce
1062, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2451	Committee on Agriculture, then to the Committee on Finance
2452	Committee on Agriculture, then to the Committee on Finance
2811	Committee on Energy & Environmental Protection, then to the Committee on Finance
3034	Committee on Agriculture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 202-08) recommending that H.B. No. 96, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 96, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," passed Second Reading and was referred to the Committee on Transportation with Representatives Sonson, Takai and Takumi being excused.

At 12:13 o'clock p.m., Representative Meyer requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:14 o'clock p.m.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 203-08) recommending that H.B. No. 2520, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2520, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Sonson, Takai and Takumi being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 204-08) recommending that H.B. No. 2972, as amended in HD 1, pass Second Reading and 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.B. No. 2972, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Sonson, Takai and Takumi being excused.

Representatives Takumi, Chang and Sonson, for the Committee on Education and the Committee on Higher Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 205-08) recommending that H.B. No. 2959,

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

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2959, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sonson, Takai and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 206-08) recommending that H.B. No. 2952, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2952, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Mr. Speaker, I would like to have the Clerk cast a vote with strong reservations vote for me on Standing Committee Report No. 206-08. This is relating to transportation and airports.

"Mr. Speaker, what it's going to do is establish the Car Rental Consumer Facility Charge Special Fund and all proceeds from the car rental customer facility charge will be deposited into that. That's going to mean that our local folks and our visitors are going to have another charge tacked onto to their rental bill because of this facility charge.

"The industry was very split on this. This was not something that was supported broadly by all the members of the industry. Enterprise for example, had very strong concerns. There were other concerns that the rental car money would collect and be diverted to projects not related to the facility for which it was charged. In other words, people in Maui might be paying into this and yet the money might go for something to be improved over on Oahu.

"I think we keep hitting the rental car people; the people that rent those cars. We keep hitting them with ad ons, ad ons, ad ons and I don't believe this is a good way to go. Everything else is costing more. We don't want our local folks to have to pay more when they go to the Neighbor Island, and we don't want to price visitors out of our location. Thank you."

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

"Thank you, Mr. Speaker. I'm also rising with some strong reservations on this measure. In Committee, the Department of Transportation had some problems with the bill because it doesn't identify a specific location. I think some of the other rental cars on the Neighbor Islands felt they would have to charge their customers this customer facility charge for a facility that they would not enjoy. It would be built on Oahu. There's just a lot of *pukas* in this bill; a lot of questions. Thank you."

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

"Mr. Speaker, I also rise with strong reservations. I had the opportunity to be with the Governor in Japan when we got 'taken to the woodshed' about the Japanese visitor being taken for granted. They pointed to the less expensive, very elaborate resorts in various parts of the world. I'm afraid this is going to play right into their hands from the international visitor point of view.

"From the local car rental, it's going to bump up the cost of living. Do we need to increase the cost of living? In the last five years, water and sewer fees have gone up 41 percent. Gasoline has gone up 87 percent. Electricity: 85 percent. Property taxes: 108 percent. Do we really need to put the cost of cars on top of all that? I don't think so. I mean, maybe we need something like this, but the timing of it is incorrect and the way that it's being approached is divisive. Thank you, Mr. Chair."

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

"Thank you, Mr. Speaker. In strong support. In Committee, and the previous speaker was correct, the industry was split on this. But what they did universally agree on is that we do need a centralized facility. How we get there, there were some differences of opinion.

"This bill is not perfect, but it will continue the discussion. We did need a centralized facility to keep up with other tourist destinations, such as Orlando and Los Angeles. So I support this strongly and I urge my colleagues to do the same. Thank you."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2952, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Sonson, Takai and Takumi being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 207-08) recommending that H.B. No. 3415, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3415, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Yes, in strong support for 207-08. This is really addressing an ongoing thing that's been going on for as long as I can remember, probably longer hopefully.

"We have all these rights of ways. If you look at an old map of Maui, there are roads that crisscross that map, the '57 map, that were public roads that allowed folks to get from Kihei to Upcountry in a straight shot that exist right now. They're still there. There's one that goes by Paia called Sunnyside Road. That's another one of these old government roads that could be used to alleviate congestion, as well as provide for corridors for greenways, in-transient corridors, but it's always been left for the Attorney General to determine each one individually and it's a very long and contentious process.

"What this would really do is ease this and make it to the Consumer Affairs Committee, to make it standardized and a very simple type of procedure, to determine who owns the road. We'd be able to connect right now, Makena to Upcountry in this little road that exists and has existed for years, but just nobody has been able to figure out whose it is. So it's high time that we make this an easy and fast thing for the betterment of our communities. Thank you."

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

"In support, and may I have the words of the speaker of Kihei entered into the Journal as if they were my own? And just to add a couple quick comments. It takes 15 to 20 years to build any new roads. If we're going to aggressively address traffic mitigation we have to look at these old government roads. This process has been going on, and on, and on forever and we need to identify so we can have repaired and upgraded these roads, be it the county or the State.

"There's also another hidden piece of the equation and that is that many places were people have homes, where they can buy homes, are only serviced by these roads. But because of their jurisdictional disputes, these roads have not been repaired at all and they have become literally, pothole messes that greatly impact people. The repair bills and damage bills to cars are inordinate. The frustration is just overflowing. They want to see something done now and I think this is a good approach. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3415, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ROADS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sonson, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 208-08) recommending that H.B. No. 2256, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sonson, Takai and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 209-08) recommending that H.B. No. 2330, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2330, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Transportation with Representatives Sonson, Takai and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 210-08) recommending that H.B. No. 2699, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2699, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sonson, Takai and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 211-08) recommending that H.B. No. 3060, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3060, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Human Services & Housing with Representatives Sonson, Takai and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 212-08) recommending that H.B. No. 2890, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2890, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGISTS," passed Second Reading and was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment with Representatives Sonson, Takai and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 213-08) recommending that H.B. No. 3421, as amended in HD 1, pass Second Reading and 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.B. No. 3421, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Sonson, Takai and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 214-08) recommending that H.B. No. 3387, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Sonson, Takai and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 215-08) recommending that H.B. No. 2028, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2028, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. For Stand. Com. No. 215, I am in support. Protecting our children from online predators needs to be one of our top priorities. Today predators use the Internet to befriend, seduce and ultimately harm our children. This measure will enhance the Attorney General's Hawaii Intimate Crime Against Children's Unit with expansive services to proactively combat the cyber crimes by progressively educating our children, adults and teachers.

"This cyber safety initiative will provide customized educational presentations for K to 8th grade and offer community seminars. If we can educate our children, teachers, parents and caregivers through our cyber safety initiative, we will definitely avoid many online dangers for our *keiki*. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2028, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERNET," passed Second Reading and was referred to the Committee on Education with Representatives Sonson, Takai and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 216-08) recommending that H.B. No. 2695, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2695, HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I wish to disclose a potential conflict on Standing Committee Report No. 216-08, the Judicial Selection Commission. One of my partners, Rosemary Fazio, is the Chair of the Commission. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2695, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Sonson, Takai and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 217-08) recommending that H.B. No. 466, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 466, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I would like a ruling on a potential conflict on Stand. Com. Report No. 217-08, Relating to Health. I work as a social worker in the emergency room and would be affected by this. Thank you," and the Chair ruled, "no conflict."

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

"Thank you. I'd like a ruling on a possible conflict. My husband works for St. Francis hospital. Thank you," and the Chair ruled, "no conflict."

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

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

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

"I would like a no vote also on 217 with a brief comment. This is Hawaii. We are the ones who respect everybody. We have sensitivity to culture, language, religion. And this bill unfortunately calls upon some people to go into a Muslim restaurant and ask for pork, if you know the analogy. You don't go into a Catholic hospital and ask for an abortion or other kinds of remedial things.

"What we need here is an understanding that the land under St. Francis is Catholic owned, and there's a contract between the land-owner and the corporation; that they will operate a Catholic hospital. Why is this not an exemption? Year after year, I know it comes up. It's sensitive, it's hard, but I think if we come back to the aloha spirit and sensitivity to other's beliefs, you're never going to have a Muslim eating pork, and you're never going to have a Catholic doing abortion, so why do we do this bill? Thank you, Mr. Speaker."

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

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

"Thank you very much, Mr. Speaker. I'd like to make a few comments in opposition to measure. My opposition is not because I'm a Catholic, and St. Francis is owned by the Catholic Church. But my fear is that because of the fines that will be levied on the respective hospital that will not provide the emergency contraceptive services, and I'm certainly not opposed to that. This particular hospital, the fines may be unbearable, and they may stop their services at some point in time.

"They provide very important services throughout the State and especially in Neighbor Island communities like Hana. They provide dialysis services. They're one of the top in renal health services. If they were to stop providing these specialized services they have, it will hurt the whole community. Not just the church. Not just the hospital.

"So what I am asking is that when this gets to the Finance Committee, if they can look at these questions of the fines and look at some other measure, possibly to convince them to have and to provide the services. If not, provide an exemption. Provide an exemption because they provide too much of the necessary services for us throughout the State. I believe that it's not too much to ask. We've made many exemptions in the past for different kinds of programs. We can make an exemption for this. Thank you very much."

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

"Mr. Speaker I'd like to ask for a ruling on a potential conflict on this matter. In my law firm, I actually represent Planned Parenthood," and the Chair ruled, "no conflict."

Representative B. Oshiro continued in support, stating:

"Thank you very much. Given that I'd like to stand and give a few comments in support. Very briefly, I just wanted to counter some of the arguments that have been raised regarding the First Amendment. First and foremost I want to point out that what we have here is a covenant that's running with the land, it's not anybody that's currently operating the facility of St. Francis or as it used to be known as St. Francis, that has a, 'religious belief' that may be infringed upon when it comes to emergency contraceptive. All we have is a covenant that runs with the land. So we're not infringing on anybody's practice.

"But let's get to the next question which is the freedom of religion. If we look at that, we are not by intent burdening their religion. That's just an incidental affect. If we had been doing that with an intentional act toward burdening their religion, that would potentially be subject to strict scrutiny of the highest standard under the freedom of religion analysis. But instead what we have is just an incidental affect.

"When you have an incidental affect that applies to everybody, but they may be swept in, the question is whether you apply strict

scrutiny, or the next lower level which is just a heightened scrutiny. If it's a heightened scrutiny, which is as I purport it is, all you have to show is there is a particularly important government goal, and I think protection of sexual assault victims is a very, very important goal and easily meets that test.

"The next prong of that test is whether any exemption would substantially hinder the fulfillment of that goal, and here I would argue that it would. I think providing an exemption would undermine the goal of what we want to provide which is a network so that any sex assault victim can go to any facility and feel that they can get the adequate treatment that they need.

"And for those reasons, I don't feel that the First Amendment analysis, or the freedom of religion analysis is applicable. Thank you."

Representative Souki rose to respond, stating:

"Yes, rebuttal please. Of course I'm no attorney, to the learned Floor Leader who I admire for his skills in law, and certainly what he is saying is a lot of truth. But we must remember, when you say it provides a lower standard, I don't understand that, because it does at least provide a covenant that you don't provide those kinds of services. And this covenant then prohibits the hospital from providing the emergency services. That is my fear.

"As we go along, I'll be talking of course to the learned Floor Leader and try to understand a little bit more, that in fact there is some protection because it's a lower standard. But at this point Mr. Speaker, I am fearful that this lower standard will provide a fine and that has a potential of hurting the hospital, when we know that all hospitals are working at a loss. It's going to further exacerbate the problem. So before I get too emotional on this, I'll sit down, Mr. Speaker. Thank you."

Representative Ward rose to respond, stating:

"Brief rebuttal to the learned Floor Leader from Aiea. I believe he's overstepping the nature of the contract between the landowner and the provider of the services, or the owner of the hospital. To my understanding there's a contract clause that they will in effect operate under Catholic guidance and principles, the hospital. Saying that there's no nexus between the landowner and the operation of the hospital, I think he's overstepping a big, big factor.

"And if I go back to my original analogy, it's like the landlord was a Muslim who rents to somebody who's going to sell pork. It's just not logical that there is no nexus between the two. So if you see that nexus, that relationship, it's clear that an exemption would just put this aside and all this wrangling and all these constitutional issues would be put to rest. We just have to be sensitive to all the beliefs of others, which we do in every case, in all issues. So why not this one, Mr. Speaker? Thank you."

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

"I'm standing in opposition, and I'd like to offer a couple of comments. I was at the hearing of this particular matter, and Members have dealt with this issue over and over in the past Sessions and some of us did support it. I for one have supported an exemption. But the testimony at this particular hearing when this was heard in Judiciary, was revealing in this way.

"First they say there is a protocol that exists. That when there is a report of a sexual assault, that the emergency services like the hospital, the police, those who are first responders adhere to a certain protocol, and that is to ensure that this particular victim of sexual assault goes to a facility that's suited for that particular condition or injury. And by the way, it's the Kapiolani Women's and Children's Hospital.

"When listening to the proponents of the measure very carefully, I understood that we do want to include other kinds of emergencies. For example, somebody that walks into a St. Francis hospital or any hospital, or any emergency room, that somehow if it's revealed during the process of treatment that there is a sexual assault whether it be that particular same incident or previously, that then they would also want the hospital emergency responders to give the same kinds of response. I think that by using the sexual assault victims as a way to gain sympathy in this particular measure I think that's a misrepresentation of actual reality of what's happening out there.

"What is happening out there is that sexual assault victims are being cared for properly with a certain protocol. If we want to advance that agenda however, which is destroy any opposition to abortion, I think that is a separate matter and I think that what's being accomplished, by trying to force a facility who will adhere to their particular religion, or adhere to a contract that limits their ability to accept certain kinds of procedures that is abortion.

"I understood also from the testimony that the Catholic services do provide some counseling. Let me give you an example. According to the testimony there is something from the Catholic church that says that if a question arises whether this person had been a sexual assault victim, the question then is whether or not she would be subjected to a pregnancy test. If a person is subjected to a pregnancy test and it comes out negative, we would allow this pill to be administered. We would not be in opposition to that. However if the person comes out pregnant under this particular test, then we do have other means to provide help by paying for this person's transportation from this clinic to another clinic. I don't see any reason why we could not allow such things to happen.

"Why resort to this when there are other means to achieve the same goal? If we're truly concerned about sexual assault victims, why don't we look at that? But at the same time, do we need to put our thumb on this particular facility and say, 'Yeah, yeah. You're going to have to do it too.' I think that's what's happening here. I think that the facility, St. Francis is a very important facility needed to achieve our goal which is to provide needed medical care. I think that we should also provide help for sexual assault victims in other ways and they can also be of help to that because they agree, they pay for the cost of transportation, they agree to ensure that they will receive the kinds of help that they cannot receive in St. Francis. I don't think this is unreasonable, given that they do have the right and they have a constitutional … I'm almost done."

Representative Nakasone rose to yield his time, and the Chair, "so ordered."

Representative Sonson continued, stating:

"I can make my point in less than 30 seconds. I will again urge my colleagues to look at the real reality. It's already been achieved. If we want to help sexual assault victims, it's already been achieved. We do not need to put our thumb on this facility. That is not necessary. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. Many would agree and support healthcare institutions that limit their service to members of their own faith, such as Christian Scientists' sanatoriums, should be allowed to use religious beliefs as a framework for providing services. However, when religion affiliate organizations such as a clinic or a hospital move into a secular purpose, that is providing medical care or social services to the general public, and accepts public funding, that organization should no longer be shielded from the general application of the law.

"There are three reasons why the status quo in Hawaii is not good enough when it comes to emergency care services for rape victims. First the prescribed rape treatment is a protocol, not a law or even a

rule or regulation. This protocol is a recommended practice, not a mandate. The protocol can be ignored, withdrawn or weakened in any situation, at any point.

"Second, although the existing rape protocols have been a positive step in improving the care of sexual assault survivors, it stops short of requiring hospitals to provide an emergency contraceptive on site. Hospitals may give the patient a prescription to be filled elsewhere or refer her to another provider. However, sending a traumatized rape victim to a pharmacy or yet to another health facility should not be an acceptable practice, especially when it concerns dispensing a time-sensitive medication.

"Third, according to a 2002 Healthy Mothers, Healthy Babies survey, 90 percent of Hawaii's hospital emergency rooms do not provide emergency contraceptives on site to rape victims. So if a rape victim chooses not to report the rape to the police or call a rape crisis center, but instead goes directly to an emergency room, there is a possibility that all treatment options may not be disclosed. This will increase the chance of an unintended pregnancy and the victim having to face an agonizing decision of what to do next should a pregnancy result from the rape.

"A law is needed to ensure a rape victim has all health options disclosed to her to make an informed decision based on her own personal belief, not the institution, but her own personal belief.

"There's one more point I want to make. This is the ethical and religious directive for Catholic healthcare services to make an exception for rape victims. That directive states: A female who has been raped should be able to defend herself against a potential conception from sexual assault. And there's an article in the September/October 2002 Health Progress, this is the journal of the Catholic Health Association of the United States and written by the Association's Senior Director of Ethics and it explains this exemption. The article states that, 'Catholic teachings allow for the administration of emergency contraception within moral limits. Measures taken to prevent conception in such cases fall outside the general prohibition against contraception because the assailant act is a violation of justice and any semen within a woman's body is considered a continuation of the unjust aggression against which she may willfully defended herself.'

"So I hope these arguments help this body to understand the situation better. Thank you."

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

"I rise in support of the measure. Mr. Speaker according to law enforcement reports, a woman is raped every six minutes. In addition to the already traumatic experience, another issue which is also avoidable is the potential of an unwanted pregnancy. In fact, over 32,000 women become pregnant each year due to sexual assault. Although emergency contraception may provide some relief for the victims of a heinous crime of sexual assault, only a small percentage of women are able to take advantage of it's availability.

"Emergency contraception is an effective, safe FDA approved method to prevent unintended pregnancy, I repeat: to prevent unintended pregnancy. If the person is pregnant, it does not cause termination. It should be easily available in all hospitals if they are the first place victims look to get treatment for sexual assault. The bill mandates that hospitals provide information and emergency contraception to sexual assault victims. While it's impossible to reverse the horrific actions of a sex offender, I believe this will facilitate the process of healing for the victim. How emergency contraception could be denied to the victim of the violent act of rape is really beyond my comprehension. We must be sensitive to the needs of victims and I urge my colleagues to support this measure. Thank you, Mr. Speaker."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was referred to the Committee on Finance with Representatives Ching, Finnegan, Meyer, Pine, Souki and Ward voting no, and with Representatives Sonson, Takai and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 218-08) recommending that H.B. No. 3105, pass Second Reading and 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.B. No. 3105, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Sonson, Takai and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 219-08) recommending that H.B. No. 3148, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3148, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Sonson, Takai and Takumi being excused.

At 12:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:46 o'clock p.m.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 220-08) recommending that H.B. No. 2393, as amended in HD 1, pass Second Reading and 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.B. No. 2393, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Higher Education with Representatives Sonson, Takai and Takumi being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 55 through 57) and concurrent resolutions (H.C.R. Nos. 64 through 66) were referred to Printing and further action was deferred:

H.R. No. 55, entitled: "HOUSE RESOLUTION SUPPORTING H.R. 506, THE HEALTH PARTNERSHIP THROUGH CREATIVE FEDERALISM ACT," was offered by Representative Herkes.

H.R. No. 56, entitled: "HOUSE RESOLUTION OPPOSING THE PROPOSED AMENDMENT TO INTERNAL REVENUE SERVICE REGULATIONS ELIMINATING THE DEDUCTIBILITY OF CAPTIVE INSURANCE COMPANY RESERVES," was offered by Representative Herkes.

H.R. No. 57, entitled: "HOUSE RESOLUTION SUPPORT OF SURPLUS LINES INSURANCE MULTI-STATE COMPLIANCE COMPACT," was offered by Representative Herkes.

H.C.R. No. 64, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING H.R. 506, THE HEALTH PARTNERSHIP THROUGH CREATIVE FEDERALISM ACT," was offered by Representative Herkes.

H.C.R. No. 65, entitled: "HOUSE CONCURRENT RESOLUTION OPPOSING THE PROPOSED AMENDMENT TO INTERNAL REVENUE SERVICE REGULATIONS ELIMINATING THE DEDUCTIBILITY OF CAPTIVE INSURANCE COMPANY RESERVES," was offered by Representative Herkes.

H.C.R. No. 66, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORT OF SURPLUS LINES INSURANCE MULTI-STATE COMPLIANCE COMPACT," was offered by Representative Herkes.

ANNOUNCEMENT

Representative Ching: "I just wanted to announce that today is Chinese New Year. *Kung hee fat choy sa nin fai loh san tai gin hong*. And the *gao* that you have on your on your desk is from the Chinese Caucus. That would be Representatives Ching, Chong, Chang and Say."

ADJOURNMENT

At 12:47 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 8, 2008. (Representatives Sonson, Takai and Takumi were excused.)

SIXTEENTH DAY

Friday, February 8, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Reverend David Baumgart Turner of United Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Awana, Manahan, McKelvey, Nakasone, Takai and Takamine, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 253 through 256) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 253, dated January 29, 2008, transmitting the Department of Budget and Finance's report on the accounts or funds that were administratively established in accordance with Act 178, SLH 2002.

Gov. Msg. No. 254, dated January 31, 2008, transmitting the 2007 Annual Report of the Hawaii Strategic Development Corporation.

Gov. Msg. No. 255, dated January 29, 2008, transmitting the State Facilities Energy Management Advisory Committee Report.

Gov. Msg. No. 256, dated January 25, 2008, transmitting the Lead by Example FY 2006-2007 State of Hawaii Agencies' Energy Initiatives.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 7) was received and announced by the Clerk:

Sen. Com. No. 7, transmitting S.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," which passed Third Reading in the Senate on February 7, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Awana, Manahan, McKelvey, Nakasone, Takai, Takamine and Tokioka were excused.)

S.B. No. 2292

INTRODUCTIONS

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

Representative Finnegan introduced National Football League Environmental Program Coordinator, Mr. Jack Groh, and Project Director, Mrs. Susan Groh.

Representative Ching introduced Mr. Mike McCartney, Executive Director of the Hawaii State Teachers Association, accompanied by members of HSTA.

Representative Pine introduced Mr. Edmund Aczon of the Carpenters' Union.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
55	Committee on Health, then to the Committee on Consumer Protection & Commerce
56	Committee on Consumer Protection & Commerce
57	Committee on Consumer Protection & Commerce, then to the Committee on Finance

H.C.R. Nos.	Referred to:
64	Committee on Health, then to the Committee on Consumer Protection & Commerce
65	Committee on Consumer Protection & Commerce, then to the Committee on Finance
66	Committee on Consumer Protection & Commerce

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
1974, HD1	Committee on International Affairs, then to the Committee on Tourism & Culture
1975, HD1	Jointly to the Committee on International Affairs and the Committee on Legislative Management, then to the Committee on Finance
2354	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2509	Committee on Energy & Environmental Protection, then to the Committee on Finance
2540	Committee on Finance
2672	Committee on Labor & Public Employment, then to the Committee on Finance
2966	Committee on Finance
3047	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
3048	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3106 Committee on Health, then to the Committee on Consumer Protection & Commerce

3348, HD1 Committee on Tourism & Culture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 221-08) recommending that H.B. No. 2794, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2794, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker, I am for this measure, but would like to express a reservation. I think it's fine to allow non-profits to float special purpose revenue bonds to help charter schools. However, let it not be forgotten that the State, the Department of Education and the Legislature have an obligation to ensure good facilities for all public schools and that includes all charter schools. Thank you."

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

"I would just like to register some reservations. I think there are some technical problems with the bill, with the revenue bonds. Charter schools don't raise revenue. Their revenue is what is paid per student by the DOE, so I think there are some technical problems."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2794, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO THE HAWAII CONSTITUTION RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 222-08) recommending that H.B. No. 2043, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2043, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2043, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 223-08) recommending that H.B. No. 2978, pass Second Reading and 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.B. No. 2978, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 224-08) recommending that H.B. No. 3436, as amended in HD 1, pass Second Reading and 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.B. No. 3436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Chang and Green, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 225-08) recommending that H.B. No. 2165, pass Second Reading and 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 Committees was adopted and H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Chang and Green, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 226-08) recommending that H.B. No. 2164, pass Second Reading and 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.B. No. 2164, entitled: "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Chang and Green, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 227-08) recommending that H.B. No. 2706, as amended in HD 1, pass Second Reading and 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.B. No. 2706, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 228-08) recommending that H.B. No. 3052, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3052, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 229-08) recommending that H.B. No.

2915, pass Second Reading and 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.B. No. 2915, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR EDUCATIONAL PROGRAM PREPARING CANDIDATES FOR NURSES LICENSING EXAMINATIONS IN HAWAII," passed Second Reading and was referred to the Committee on Higher Education with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 230-08) recommending that H.B. No. 3352, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3352, HD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

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

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

"I would like to register a vote with reservations and offer some comments. I'd just like to point out to Members of the House that if you look at the Committee Report, there were no 'ayes' on this, and there are serious reservations concerning this audit which would look specifically at one agency that is still in the process of judicial proceedings. And just to point out to Members again, that this was a measure that was taken up and was very contentious at the end of the last Session, and that there are some serious concerns about an audit to target one specific agency.

"One suggestion as it moves forward is maybe, if a concern of this body is with regard to the individuals who are serviced by this agency and other agencies, that the audit be expanded to look at the ways in which the agencies work together and advocate for the children who are the subject of their responsibilities. Thank you, Mr. Speaker."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3352, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," passed Second Reading and was referred to the Committee on Legislative Management with Representative Rhoads voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 231-08) recommending that H.B. No. 2343, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC VIOLATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 232-08) recommending that H.B. No. 2929, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2929, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

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

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

Representative Finnegan 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 the report of the Committee was adopted and H.B. No. 2929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Marumoto voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 233-08) recommending that H.B. No. 2407, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2407, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

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

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

"I'd like to register a vote with reservations as well. In the Committee there was quite a little bit of testimony against this bill. I think they have to have more collaboration on this than this bill offers."

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

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

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

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

"Thank you very much, Mr. Speaker. Just a couple of words in support of this wonderful measure. This measure will ensure that we have fairness in the market in insurance premiums. What's been happening is that these organizations that hire temporary workers and assign them to job sites or other employers where they're going to work, they are not being classified fairly. Essentially a person that could be classified as a secretary would be climbing a roof top and installing some tiles when they are assigned to a construction jobsite.

"This measure is to ensure that for workers' compensation purposes, although these individuals are technically hired by a temporary agency, people like Altres Staffing for example, when they are assigned to ABC Construction they will be reclassified to be a construction worker so that when the premiums are set, it's based upon that employer, not the employer that takes care of the human resources management type of activities. That's all we're doing. We just want to make sure that the market place is fair. Thank you very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 234-08) recommending that H.B. No. 2575, as amended in HD 1, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2575, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was referred to the Committee on Human Services & Housing with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 235-08) recommending that H.B. No. 3169, pass Second Reading and 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.B. No. 3169, entitled: "A BILL FOR AN ACT RELATING TO LIFELONG LEARNING ACCOUNTS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 236-08) recommending that H.B. No. 3033, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 3033, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTION," passed Second Reading and was referred to the Committee on Transportation with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 237-08) recommending that H.B. No. 2292, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2292, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Mr. Speaker I'm going to cast a very serious reservations vote on Standing Committee Report No. 237 and this is relating to the Galbraith Estate Lands. Mr. Speaker, my concern is the liability issues that really need to be looked at very carefully, and the cost to the State. And I know that it's going to Finance. I just think there needs to be a very hard look at that. Thank you."

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

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

"Mr. Speaker again, I am disclosing a potential conflict. My wife works at the Bank of Hawaii and they're the trustee for the Galbraith Lands. I also admitted yesterday the fact that a number of my law partners are shareholders in the Galbraith Trust. Thank you," and the Chair ruled, "no conflict."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Tsuji and Ito, for the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 238-08) recommending that H.B. No. 2454, pass Second Reading and 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.B. No. 2454, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was

referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 239-08) recommending that H.B. No. 2453, pass Second Reading and 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.B. No. 2453, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 240-08) recommending that H.B. No. 2501, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 241-08) recommending that H.B. No. 3309, as amended in HD 1, pass Second Reading and 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.B. No. 3309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Higher Education with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 242-08) recommending that H.B. No. 2128, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2128, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 242-08, House Bill 2128, Relating to the Penal Code. I'm in support with reservations. As Chair of Public Safety, I'm just hoping that we see some language inserted in these bills where what we're doing is enhancing penalties to Class C felonies. I just want to make sure that we do a financial impact analysis on how it will impact the Department of Public Safety. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2128, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 243-08) recommending that H.B. No. 2558, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2558, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 244-08) recommending that H.B. No. 1969, HD 1, 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.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 245-08) recommending that H.B. No. 3080, as amended in HD 1, pass Second Reading and 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.B. No. 3080, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 246-08) recommending that H.B. No. 2914, pass Second Reading and 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.B. No. 2914, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 247-08) recommending that H.B. No. 3150, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3150, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 248-08) recommending that H.B. No. 1598, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1598, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise to cast a no vote on 248-08, Relating to Healthcare, and just a couple of comments. This bill gets us closer to what I know on a national level is being debated. And some in this body would like to see as an inevitable universal healthcare. We want everybody to have healthcare. That's why Hawaii has almost as seamless a system, whether you're close or you're far, or you're rich or you're poor. If you really want healthcare, you can get it. But I think this plan is pushing to the extent that it wants the universal healthcare to the extent that the government is going to end up doing what we haven't yet fully realized that the private sector can do.

"And I would only suggest that as we move in this direction with vehemence, or at least some do, that they take caution, that those systems that do exist, everybody will have universal healthcare, but the cost of it is the issue. Having access is easy, but paying for it and then having the ability to tolerate long lines and waiting for services is an entirely different issue. So healthcare yes, but in a way that is systematic. And rather than throw the baby out with the bath, let's work on the present system, and this one kind of points to the inevitable.

"We've already made up our minds and we're creeping up to it. If we having a budget shortage now, and we're concerned about the future, this bill is going to sneak up on us and really surprise us if we don't watch at the speed by which we're going down the slope. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, in support. This system has failed us – the health system has failed us that we currently live with. The reason to pass the universal healthcare bill is for planning purposes – for planning purposes, which is what House Bill 1598 does. It is to prepare us for the inevitability of a failed system. If we read today's paper, *West Hawaii Today*, and you'll find the same material presented on Saturday in the *Star-Bulletin*, you'll read the top headline, 'HMSA exempt from $560 million over past 10 years.'

"Our predominant insurer on our backs has benefited from $560 million in taxes from tax exempt status, while our providers which we hear over and over again, are feeling they're not being reimbursed enough. Our hospitals are in a crisis. HHSC is asking us for $25.4 million for right now and over $50 million in the upcoming months for the next budget cycle. We are in crisis. We can't rely on our insurers to take care of the situation any longer, that's why we have to plan. I'm going to continue to bring this up because soon your hospitals are going to close. Soon you're going to see people begging, begging to find a physician, because they can't find them because our current system just isn't cutting it. So when I asked to plan something, I think we should take it seriously.

"I do hope everyone will read this article. I'm going to read only the first paragraph: "Hawaii's largest health insurance provider dodged $560 million in State taxes over the past 10 years. Even as the State safety net hospitals were shorted $30.8 million contributing to their request this Session for an emergency tax paid bailout." Our system's failing us, we better do something fast. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Brief rebuttal. The learned gentleman from the Big Island is correct. Government hospitals are failing. Private hospitals are actually in the black in the State at this particular time, which is pointing out to what inevitably is going to take place when the government takes over the hospital system we're going to get exactly what the gentleman from the Big Island just spoke about. Thank you, Mr. Speaker."

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

"Yes, I just need to rise in strong support of this measure. I think there's a lot of misinformation and misunderstanding about what's being proposed here. It's not a takeover of the hospitals. It's a takeover of the payment system and that's the problem that we're facing with all these various nonprofits, as well for-profit insurance companies, is that we need to move it over to single-payer system.

"What that does, it just says that we're going to take it over; we're going to make sure that everybody gets paid, but we're going to have to look at some middle person to do that for us. So it actually can encourage private hospitals. Private hospitals can thrive on this, but we need to take the profit and the money that is going to something else before it goes to the hospitals, and correct it and actually control it so that everybody pays into one, it doesn't get all spread out and it actually is much more efficient.

"A single payer system has proved to be a much better buy. It uses money more efficiently. And most importantly, it keeps people from being actually refused services or having services taken out because these companies can do that and say, 'Well, we can't take you because of pre-existing conditions,' and those types of things.

"So we're not even talking about universal in the sense of everybody getting it. We're making sure that everybody does get it and it's not being controlled by HMOs and nonprofits and others like that. But it needs to be just a very simple and easy system to understand, and single payer has proven itself that way. Thank you."

Representative Green rose to respond, stating:

"Mr. Speaker, with regards to the comments that were made earlier, the private hospitals are not in the black. They're horribly in the red. In testimony that was presented to us over and over again this Session in the Health Committee and in informational briefings, that the majority of the hospitals are deeply in the red. We're over $150 million in the red for this coming fiscal year; $150 million in the red. And the projections that came down from the federal government in the last 72 hours show that Queen's Hospital alone will lose an additional $60 million just from Medicare cuts should they go in effect – $60 million additional in the red.

"All of the hospitals, including their chief advocate, Rich Meyers have gone through this with us over and over again, that there is a reimbursement crisis and it's going to necessitate a massive State bailout unless we shift our attention to better reimbursements or a totally new approach. Thank you, Mr. Speaker."

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

"Mr. Speaker, in support with comments. I supported this bill in Committee mainly because I look at it as a compromise bill. We as a body, do not want to go into tort reform, medical tort reform, which is in my belief, contributing to a payment crisis because of defensive medicine.

"There's higher cost of medical care because doctors can't order a lot more procedures and tests to protect themselves. On the other hand, we as a body have elected to pay more for Medicaid providers. So what do they do? And I think that universal healthcare to decrease the cost of processing medical care is a solution. It's not a perfect solution, but I think it's something that we as body can chew on and probably favor, for most of us. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. Just some of the things that came out in testimony were that the

Hawaii Medical Association brought up the fact that there is an infinite demand for healthcare. And placing decisions in the hands of our government will not increase the effectiveness of healthcare. It will result in rationing, long delays, denial of necessary, but expensive therapies and procedures, and inhibit the development of new therapies and procedures. The Hawaii Medical Association noted that in wealthier countries, with a single payer system such as Canada, people come to the U.S. for services unavailable in their own country under the single payer system.

"And finally, the Hawaii Association of Health Plans, brought the fact up that financing a single payer system would require an additional 7 to 8 percent payroll taxes on all Hawaii employers. It would also encourage those who are uninsured and suffering from a catastrophic illness or injury on the Mainland to move back to Hawaii to get healthcare. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I stand in support. Thank you. By providing universal healthcare to our residents, we will save employers, hospitals and the State money by having the single payer system. Local service would be accessible to everyone and thus would reduce late stage emergency care for those that could not afford medical care. Moreover, universal healthcare will better address our shortage of physicians and nurses by placing the focus on the recruiting and keeping our doctors and nurses in Hawaii with better pay and a managed healthcare system to address local malpractice and frivolous claims. This viable single payer system will fortify healthcare in Hawaii.

"Currently, business owners are paying substantial amounts to provide mandated healthcare coverage for employees. However, a single payer system will reduce costs because it will be managed and regulated by single entity. And the power of purchasing medical supplies, services, and prescription drugs will give us the leverage to seek and obtain larger savings.

"Hawaii is the first state to have such bold legislation when we passed the Healthcare Act of 1974. Today we stand on the cusp of passing bold legislation, of providing universal healthcare for all of our residents. I believe Hawaii is ready for universal healthcare, therefore I ask all Members to support this measure. Thank you, Mr. Speaker."

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

"Thank you. I would like a no vote Mr. Speaker, and written comments, as well as some comments now. Thank you, Mr. Speaker. In my written comments I'll go through and rebut some things that have been said, but I'd like to also call attention to a couple other measures, other issues in regard to universal healthcare.

"In doing some of the research and looking at some of the other countries, for instance Australia for one; of course we remain open-minded about how to improve healthcare. I asked an Australian, 'So what is it that happens over there, and do you have a medical malpractice liability insurance reform?' And his answer to me was 'Yes we do. We basically have to have it coupled with our universal healthcare.' For those of you who feel that your access to justice might be hindered because of medical tort reform in order to keep prices down, that may be a possibility for this.

"I would also like to say that there's a good percentage of people that buy supplemental insurance when you have universal healthcare. So those of us who are paying high insurance premiums right now, medical insurance premiums, could possibly get maybe less coverage, and on top of that needing to get supplemental insurance to get the same kind of insurance coverage that we're getting now. That could come into play as well.

"And then in response to, 'This is a single payer system. They're not going to be making decisions.' Let's talk about who pays for some of our programs that government operates right now with regard to insurance. That would be Medicare, Medicaid and those types of things. And sometimes you hear from other people in the community that are under these programs, that some of the decisions made for Medicare and Medicaid are some of the most brutal decisions I guess. And is this the kind of federal system or state or government system that we want to entrust all of our insurance to?

"I understand that there are problems right now. I don't think that this is the way to go. In fact there's other opponents, like the Hawaii Medical Association, and like Healthcare Association of Hawaii. These weren't the suggestions, universal healthcare was not a suggestion of the taskforce that we participated in, that we paid money to participate in or created for healthcare. I will finish the rest of my remarks in written comments."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition to H.B. 1598, H.D. 1 establishing an agency to operate a single-payer universal healthcare insurance system. Some argue that a universal healthcare system will save money, make medical service accessible to everyone, and be affordable.

"I submit an article that I wrote for *Hawaii Business Magazine*.

"Is Hawaii ready for Universal Health Care?" I do not believe that Universal Health Care is good for Hawaii's people. Although other states such as California, Maine and Vermont are considering forms of universal or near universal health care systems, we really need to consider the impacts of a universal system and how it will affect our state. The goals of health care are most commonly affordability, accessibility, and quality. It is extremely difficult to attain all three.

A Universal Health Care system is essentially health insurance for all. There is a misconception that this would mean "free" health insurance coverage. However, in life, nothing is free. Most of the burden will be shouldered by those who currently are employed or have insurance. Stories and data show that countries with universal health care tend to be highly taxed. Ironically, big government decision making often creates the same problems it was supposed to cure. Goals for attaining accessible, affordable, and quality health care tend to fall by the wayside.

Several countries such as Britain, Canada, Australia and Sweden provide universal health care. In these countries, studies show that individuals are unable to find family doctors, have a hard time receiving routine health care, and are placed on waiting lists for medical care. Some Canadians wait up to two months to get a Magnetic Resonance Imaging (MRI), Computed Tomography (CT), or angiogram. Thirty percent of Australians buy supplemental health insurance. Americans are a litigious society needing reform. In my opinion unrestricted lawsuits will never mix well with a Universal Health Care system.

The further we move away from personal responsibility for your health costs, the farther we get from containing health care costs. Hawaii's pre-paid health care system is not perfect, but I believe a universal health care system is too extreme. Focusing on wellness care and early intervention for insured and those depending on government's safety net, and encouraging more competition in the health insurance industry would yield better results.

"Thank you Mr. Speaker."

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

"I'm just going to vote with reservations. I do believe the intent and the desire of this bill is good-hearted. I'm just concerned about the

overall impacts on our whole State budget and what it means for other social programs.

"I found the testimony from DCCA very compelling in that they did mention and show that many of the people who are uninsured in Hawaii do qualify currently for some type of government program. The Director recommended that perhaps we should look into improving those programs to include those people who fall through some type of a loophole that doesn't allow them to be insured, instead of dramatically changing our whole healthcare system in Hawaii. I'm still listening, but I'm just not quite convinced it's the right way to go."

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

"Mr. Speaker, I am in opposition to this measure. I will simply point out that there are many opponents to this measure and testifying against this bill was the Department of Commerce and Consumer Affairs, the Department of Budget and Finance, the Hawaii Medical Association, the Healthcare Association of Hawaii and the Hawaii Association of Health Plans, which are all our health insurance companies. Thank you."

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

"Mr. Speaker, I have reservations. I know I'll be hearing this in the Consumer Protection Committee, but I am concerned about the measure. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Ching, Evans, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 249-08) recommending that H.B. No. 2447, as amended in HD 1, pass Second Reading and 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.B. No. 2447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSYCHOTROPIC MEDICATION," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 250-08) recommending that H.B. No. 2334, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2334, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in support with reservations on 250-08. This bill will require mandatory sentencing, and I just want to say like I did before that it will have an impact on the Department of Public Safety, our jails, and our whole system. I'd like to see a financial impact analysis of that. Thank you."

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

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 2334 which establishes mandatory minimum prison terms for certain offenses against pregnant women.

"I reflect back on my two pregnancies and cannot comprehend the thought of losing a child to a violent act. We hear too many stories of pregnant women being punched, kicked, or stabbed and sometimes killed. In California, a judge sentenced Scott Peterson to die by lethal injection for killing his wife Laci and their unborn child. Locally, Tyrone Vesperas is facing charges for stabbing his wife who was nine months pregnant in the stomach and for the death of his son Tyran Vesperas-Saniatan who was 14 years old.

"A child in utero is a life and not to respect it as such is inhumane. As a mother, I've felt my children in my body growing and moving. The relationship between mother and child does not start upon birth, but at the time of knowing and loving your child. For some, it is even before the pregnancy test shows positive.

"Although no one can replace the life of a child, it is comforting to know that we respect it by offering some form of legal justice for his or her lost life. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2334, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representative Bertram voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 251-08) recommending that H.B. No. 3157, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3157, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3157, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIRECT PAYMENT TO PROVIDERS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Rhoads voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 252-08) recommending that H.B. No. 2796, as amended in HD 1, pass Second Reading and 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.B. No. 2796, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 253-08) recommending that H.B. No. 2434, as amended in HD 1, pass Second Reading and 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.B. No. 2434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 254-08) recommending that H.B. No. 2506, as amended in HD 1, pass Second Reading and 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.B. No. 2506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 255-08) recommending that H.B. No. 3068, as amended in HD 1, pass Second Reading and 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.B. No. 3068, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 256-08) recommending that H.B. No. 3069, as amended in HD 1, pass Second Reading and 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.B. No. 3069, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 257-08) recommending that H.B. No. 3070, pass Second Reading and 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.B. No. 3070, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EMERGENCY PREPAREDNESS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 258-08) recommending that H.B. No. 2367, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2367, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 259-08) recommending that H.B. No. 3221, as amended in HD 1, pass Second Reading and 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.B. No. 3221, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 260-08) recommending that H.B. No. 2186, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 261-08) recommending that H.B. No. 3158, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3158, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask a ruling on a potential conflict for Standing Committee Report No. 261-08. At my law firm, I represent HHSC," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3158, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 262-08) recommending that H.B. No.

2727, as amended in HD 1, pass Second Reading and 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.B. No. 2727, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 263-08) recommending that H.B. No. 2438, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 264-08) recommending that H.B. No. 2917, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2917, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Transportation with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 265-08) recommending that H.B. No. 3171, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3171, entitled: "A BILL FOR AN ACT RELATING TO THE LAND COURT SYSTEM," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 266-08) recommending that H.B. No. 2302, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2302, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 267-08) recommending that H.B. No. 3022, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3022, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VII, SECTIONS 12 AND 13, OF THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TAX INCREMENT BONDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 268-08) recommending that H.B. No. 2823, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2823, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to cast a no vote on Standing Committee Report No. 268, House Bill 2823, relating to capping liability for dam and reservoir owners. Thank you, Mr. Speaker. I think it's a disincentive for the dam owners and the owners of the waterways. It's a disincentive for them to keep those systems in good repair if we cap their liability. I think it's the wrong thing to do and I wish Members would look at that pretty carefully. Thank you."

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

"On Standing Committee Report 268-08, I'd like to register a no vote on that measure. I just wanted to note that the passage of this kind of legislation will have devastating effects on the plaintiffs and victims' families on the Koloko case by removing liability."

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

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

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

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

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

"Thank you, Mr. Speaker. I'd like to register a vote with reservations on Stand. Com. Report 268 and 269, but I wanted to talk a little bit about 268, Relating to Dam Safety. It's just that in the agriculture area, we're looking for diversified ag. These many dams that are now privately owned, had previously been owned by the plantations are such a resource. If the liability is so great, some of these dams will be filled in and be eliminated because of the cost to the owners to insure themselves and all the claims that might be brought against them. Maybe there should be a cap or something, but we don't want to discourage people from maintaining these dams. If the liability is too high, they'll get rid of them. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representative Meyer be

entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

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

"Thank you very much, Mr. Speaker. I'd like to stand in opposition to this dam bill, 268-08. On the surface it's usually very good. It looks like a good idea to limit liability on people that create things for the benefit of society, or the benefit of certain things in our community such as water. By allowing a bill such as this to go forward, or similar bills like this that limit liability on people that conduct things that are ultimately very dangerous, and capturing water is very dangerous.

"The purpose of having a liability upon these individuals who participate in this risky conduct, albeit there is benefit to it, to ensure that they take into consideration the damage that they will do if things fail. That has to be part of the business plan, if this is a business, if this is an entity that does something, that is capturing something that is dangerous to people, then they have to take into consideration what happens. If a dam breaks, it will release tons of water, and this water will have to go somewhere and essentially it may hit homes, farms, cars, you get the picture. These dangers and these risks must be balanced at the outset. If you remove the liability then ultimately you're saying, 'You know, it's not that risky. Go ahead. Make the dam not as strong as it could be, because it's too costly.' No, that's not what we want to promote. We want to promote safety.

"We want to promote activities that will be beneficial to the community and not damaging to the community in the long run as we have seen. If this is in response to what has happened in Kauai, I think this is the wrong way to go. We're sending the wrong message out. So I'm voting no, Mr. Speaker and I urge the Committee that's going to see this next, the Committee of Judiciary, to please take a look at this particular measure. Well, I'd rather they not take a look at the particular measure at all. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Belatti, Berg, Morita, Saiki, Sonson and Thielen voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 269-08) recommending that H.B. No. 3016, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3016, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"I'd like a ruling on a potential conflict, Mr. Speaker, On Stand. Com. 269-08. My law firm is involved in a cause of action against Maui County involving the use of taser weapons," and the Chair ruled, "no conflict."

Representative Belatti continued in support of the measure with reservations, stating:

"With that, may I also please express some reservations on this measure? I would note that in the Committee Report it states that the Committee finds that electrical or tasers guns are useless in non-lethal alternatives.

"I'd just like to point out that there are some serious concerns globally about the use of tasers. There's that very unfortunate incident in a Canadian airport where an elderly man was killed with the use of a taser. Amnesty International also raises very serious concerns of the use of the taser. So as this bill moves forward, I would just like the Committees to look at that carefully. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3016, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 270-08) recommending that H.B. No. 3445, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3445, HD 1, pass Second Reading and be referred jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Yes Mr. Speaker, I have a potential conflict of interest. This concerns Standing Committee Report 270-08. I'm a member of the board of directors of the company that sells bottled water," and the Chair ruled, "no conflict."

Representative Souki continued in opposition to the measure, stating:

"And correspondingly, I wish to speak against this measure. I shall make it very short because I know it goes on to a further Committee. However this bill will again, increase the cost of doing business in Hawaii. It provides for royalties to the respective companies. It provides for moratoriums. I believe that we need to seriously look at the consequences of this particular bill.

"Now I am not against recycling. I think it's a very good thing. I think that there's other ways to do this other than make to some people profit from this measure. Thank you."

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

"Mr. Speaker, I'd like to speak on the bill relating to bottled water, Stand. Com. 270-08, and join with the Speaker Emeritus with reservations. It seems as though because of the law of the land, that anything under the surface of any piece of the property anywhere in the State belongs to the State, we've expended what otherwise is in the Constitution that all mineral rights belong to the State, whether it's geothermal, whether you have gold in your backyard, you have silver in your backyard, or whatever, oil etc., it belongs to the State. I think we've gone to the extreme now where even the water that you pull out belongs to the State.

"Mr. Speaker, I think this is a good point of deliberation of why in the future, if we want to change this, the Constitutional Convention is where this actually belongs, even though this is the beginning of the discussion. Because it's in the Constitution that everything below the surface belongs to the State of Hawaii. So by right, they're correct.

But by principle, I think it's a bit going above and beyond what we should be doing which is sharing our resources with the people on top of the land. Thank you."

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

"Thank you, Mr. Speaker I'm rising in opposition to Stand. Com. 270. This bill was amended, but it then created this moratorium on the manufacture, production, processing and sale of bottled water originating from ground water sources in the State. There were a lot of different business entities that testified against the bill. This is an example of us passing a law that would put a lot people out of business, and I don't think that's something that we'd want to do. Thank you, Mr. Speaker."

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

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

"On Standing Committee Report 270-08, Relating to Water, in support. We have to remember that water is a public trust resource that is managed by the State for benefit of Hawaii's people. And basically right now, the bottled water companies take this affordable water, the water that our infrastructure has made affordable, and repackaged it for a profit. So I believe that the State, especially the people, in preserving the resources, are entitled to a royalty for this commodity. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3445, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading and was referred jointly to the Committee on Agriculture and the Committee on Economic Development & Business Concerns with Representatives Meyer and Souki voting no, and with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 271-08) recommending that H.B. No. 2862, as amended in HD 1, pass Second Reading and 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 Committees was adopted and H.B. No. 2862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 272-08) recommending that H.B. No. 2863, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2863, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker. I rise with reservations on Stand. Com. Report 272-08. Mr. Speaker, this measure would establish an expedited review and approval process for obtaining State and county permits for the siting, development, construction and operation of renewable energy facilities. I am one who stands in strong support of renewable energy and the building of these facilities, but I am concerned that this measure is not the way to go and I have four simple points to make.

"First, some would characterize the actions surrounding the Superferry as an attempt to get around and expedite the process of approving the Superferry. I don't think that we should be encouraging this kind of practice. If the process was good then, then they're good now.

"Second, the Committee reports that this measure would delegate authorities to the Department of Health for the issuance of air, water and ocean permits for various projects. The Committee Report goes on to say that this transfer would require significant changes to State laws. Excuse me, let me back up. At the federal level the US EPA delegates authority to the Department of Health for the issuance of State permits. What this measure does is run afoul of those federal laws that protect our air and water, by putting the responsibility in the hands of DBEDT's Director as its energy resources coordinator. That's very concerning to me.

"Third, Mr. Speaker, the Committee Report points out that there are other measures moving and are alive to address this issue of siting of renewable energy facilities and I urge that we look at those measures.

"Finally, Mr. Speaker, again the issue of empowering the Director of the Department of Business, Economic Development and Tourism, I would hope that as we move forward that we make sure that we are funding DBEDT as a way to get this issue of helping to facilitate renewable energies. Thank you, Mr. Speaker."

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 273-08) recommending that H.B. No. 2590, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2590, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like to register reservations on H.B. 2590, Stand. Com. Rep. 273. Being a member of the Sustainability Task Force and looking at the concerns listed in the Committee Report, I'm going to look forward to sitting on EDB and hearing how those concerns are addressed. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2590, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 274-08) recommending that H.B. No. 3343, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3343, HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 3343, H.D. 1 designating the month of October as Filipino-American History Month in commemoration of the contributions of Filipino-Americans to Hawaii and the United States. I am very proud of my cultural background and heritage as a Filipina.

"As one of the largest ethnic populations in Hawaii, Filipinos and Filipino-Americans have made a lasting impression in the history of Hawaii and the United States. Designating October as Filipino-American History Month is a formal way and a targeted time for the Filipino community to reflect and share their culture with the people of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 275-08) recommending that H.B. No. 2456, as amended in HD 1, pass Second Reading and 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.B. No. 2456, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 276-08) recommending that H.B. No. 3034, pass Second Reading and 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.B. No. 3034, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Second Reading and was referred to the Committee on Finance with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 277-08) recommending that H.B. No. 647, as amended in HD 1, be recommitted to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 647, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was recommitted to the Committee on Energy & Environmental Protection with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 278-08) recommending that H.B. No. 2173, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai being excused.

ADJOURNMENT

At 12:59 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, February 11, 2008. (Representatives Chang, Manahan, McKelvey, Nakasone, Takai, Tokioka and Wakai were excused.)

SEVENTEENTH DAY

Monday, February 11, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered in song by Ms. Mary Coghlin, a sophomore at Maryknoll High School, after which the Roll was called showing all members present with the exception of Representatives Bertram, Evans, Nakasone, Sagum, Sonson, Takamine and Ward, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 257 through 259) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 257, dated February 1, 2008, transmitting Act 250, S.B. 1174 (2006), Department of Public Safety Report on Strengthening Keiki of Incarcerated Parents Program.

Gov. Msg. No. 258, dated February 2, 2008, transmitting Act 8 (2007), Department of Public Safety Report on Special Session, Part 2, Section 7, Inmate Transition and Reentry into the Community, Special Session, Part 7, Section 21, Inmate Reentry into the Community, and Special Session, Part 7, Section 22, Tax Incentives for Employers Who Hire Ex-Inmates.

Gov. Msg. No. 259, dated February 12, 2008 [*sic*], transmitting the Office of Youth Services' Gender Responsive Programs Report as required by Act 258, Section 2, Session Laws of Hawaii 2007.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 8 through 13) were received and announced by the Clerk:

Sen. Com. No. 8, transmitting S.B. No. 2169, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 9, transmitting S.B. No. 2365, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 10, transmitting S.B. No. 2401, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 11, transmitting S.B. No. 2402, S.D. 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 12, transmitting S.B. No. 2454, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," which passed Third Reading in the Senate on February 8, 2008.

Sen. Com. No. 13, transmitting S.B. No. 2960, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on February 8, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Bertram, Evans, Nakasone, Sagum, Sonson, Takamine and Ward were excused.)

S.B. No. 2169, SD 1	S.B. No. 2402, SD 1
S.B. No. 2365, SD 1	S.B. No. 2454, SD 1
S.B. No. 2401, SD 1	S.B. No. 2960, SD 1

MISCELLANEOUS COMMUNICATION

The following miscellaneous communication (Misc. Com. No. 2) was received by the Clerk and was placed on file:

Misc. Com. No. 2, from the State of Colorado, House of Representatives, dated February 8, 2008, House Joint Resolution 08-1004 concerning participation in the "Legislatures Step to Health" Programs, encouraging health and wellness in their communities by challenging both themselves and their colleagues across the country to participate.

INTRODUCTIONS

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

Representative Tokioka introduced Kauai High School senior, Ms. Briana Bailey, a West Point candidate; and her teacher, Ms. Dorthy Hoe, Student Activities Coordinator.

Representative Belatti introduced grade school and high school students of Maryknoll School. They were accompanied by:

Mr. Alfred Wong, President of the Board of Maryknoll School;
Ms. Shana Tong, Vice Principal of the Grade School;
Ms. Darcie Kawamura, Vice Principal of the High School, and sister of Representative Belatti, along with her twins, Reece and Wyatt Kawamura; and
Mr. Jared Kaufmann, High School teacher.

Representative Luke introduced her friend and Maryknoll School alumni, Mr. Duane Miyashiro.

Representative Ching introduced her relative and Maryknoll School alumni, Ms. Susan Wong.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
58	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

59	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
60	Committee on Judiciary, then to the Committee on Higher Education

H.C.R. Nos.	Referred to:
67	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
68	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
69	Committee on Judiciary, then to the Committee on Higher Education

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
2169, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce
2292	Committee on Consumer Protection & Commerce
2365, SD1	Committee on Transportation, then to the Committee on Energy & Environmental Protection
2401, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2402, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2454, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2960, SD1	Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2173, HD1	Committee on Health, then to the Committee on Judiciary
2408	Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 61) was announced by the Clerk and the following action taken:

H.R. No. 61, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING MARYKNOLL SCHOOL FOR ITS OUTSTANDING WORK AND SERVICE TO THE STATE OF HAWAII ON ITS 80TH ANNIVERSARY," was jointly offered by Representatives Belatti, Awana, Berg, Bertram, Brower, Caldwell, Carroll, Chang, Evans, Green, Herkes, Ito, Karamatsu, Luke, Magaoay, Mizuno, Morita, Nishimoto, M. Oshiro, Pine, Rhoads, Saiki, Shimabukuro, Sonson, Takumi, Tsuji, Ward, Waters, Yamane, Ching, Lee, Nakasone, Souki, Takamine and Yamashita.

Representative Belatti moved that H.R. No. 61 be adopted, seconded by Representative Brower.

Representative Belatti congratulated Maryknoll School on their 80th anniversary and introduced the honorees who were seated on the floor of the House:

Mr. Michael Baker, President of Maryknoll School;
Sister Rosario Daley, Maryknoll Sister;
Ms. Betsey Gunderson, High School Principal;
Ms. Joni Shimomura, Student Senate President; and
Master Matthew Kimura, Grade School representative.

Representative Ching further congratulated Maryknoll School and thanked them for their contribution to education in Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 61 was adopted with Representatives Evans, Nakasone, Sagum, Sonson and Ward being excused.

At 12:18 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:24 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 279-08) recommending that H.B. No. 2521, as amended in HD 1, pass Second Reading and 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.B. No. 2521, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 280-08) recommending that H.B. No. 2172, as amended in HD 1, be recommitted to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2172, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 58 through 60) and concurrent resolutions (H.C.R. Nos. 67 through 69) were referred to Printing and further action was deferred:

H.R. No. 58, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INSTALL ADDITIONAL BICYCLE RACKS AT STATE PARKS," was jointly offered by Representatives Brower, McKelvey, Say and Bertram.

H.R. No. 59, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE‘EHI LAGOON," was jointly offered by Representatives Manahan and Say.

H.R. No. 60, entitled: "HOUSE RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was offered by Representative Say, by request.

H.C.R. No. 67, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO INSTALL ADDITIONAL BICYCLE RACKS AT STATE PARKS," was jointly offered by Representatives Brower, McKelvey, Say and Bertram.

H.C.R. No. 68, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE‘EHI LAGOON," was jointly offered by Representatives Manahan and Say.

H.C.R. No. 69, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERMS OF AND POSSIBLE TERM LIMITS FOR STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was offered by Representative Say, by request.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, I have two announcements. Two of our members today are celebrating birthdays. One is the Chair of Health, Josh Green, who is here. The other is Roland Sagum, who is on Kauai working hard for his constituents, so when you see him tomorrow, wish him well. Thank you, Mr. Speaker."

Representative Herkes: "Thank you, Mr. Speaker. For the members of Judiciary and CPC, there will be decision making at 2:00 on five bills. If you could be there at 2:00 so we can get those out, and then you can go on your merry way, and then come back for our hearing. Thank you."

Representative Belatti: "Mr. Speaker, just one quick announcement. Maryknoll School is having a reception upstairs in Room 329. I know we have very busy schedules, but if you can stop by, we have lunch, so please join us. Thank you."

Representative Finnegan: "Thank you, Mr. Speaker. I just wanted to remind the House to come out tomorrow morning at 6:45, and then running or walking at 7:00. We had about 10 percent of our House out last week, so we'd love to have you come and join us, both Representative Oshiro and myself, and all those who joined us last week. Thank you."

ADJOURNMENT

At 12:27 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, February 12, 2008. (Representatives Berg, Evans, Nakasone, Sagum, Sonson and Ward were excused.)

EIGHTEENTH DAY

Tuesday, February 12, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Seiko Chow of Makalapa Elementary School, after which the Roll was called showing all members present with the exception of Representatives Ching, Meyer, Sagum, Souki and Waters, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 260) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 260, dated February 12, 2008, transmitting the Non-School Hour Programs for Children and Youth Report prepared by the Office of Youth Services.

INTRODUCTIONS

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

Representative M. Oshiro introduced Mr. William "Bill" Pound, Executive Director of the National Conference on State Legislatures, and Ms. Corina Eckl, NCSL Director of Fiscal Affairs and Hawaii liaison.

Representative McKelvey introduced Maui County Council Member, Mr. Joe Pontanilla.

Representative Carroll introduced farmer and fishing advocate, Mr. Darrell Tanaka from Haiku, Maui.

Representative Lee introduced Hoala School Principal, Ms. Nancy Barry.

Representative Ward introduced banker, CEO and community leader, Mr. Rick Humphreys.

Representative Bertram introduced former Maui County Council Member, Mr. Dain Kane.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2172, HD1	Committee on Health, then to the Committee on Finance
2727, HD1	Committee on Health, then to the Committee on Finance
2962	Committee on Finance

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
16	Jointly to the Committee on Human Services & Housing and the Committee on International Affairs

H.C.R. No.	Re-referred to:
16	Jointly to the Committee on Human Services & Housing and the Committee on International Affairs

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 63) was announced by the Clerk and the following action taken:

H.R. No. 63, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING BERT A. KOBAYASHI FOR HIS LEADERSHIP AND INVALUABLE CONTRIBUTIONS TO THE CONSTRUCTION INDUSTRY AND THE STATE OF HAWAII," was offered by Representative Ito.

Representative Ito moved that H.R. No. 63 be adopted, seconded by Representative Caldwell.

Representative Ito introduced and recognized Mr. Bert A. Kobayashi, accompanied by his wife, Mrs. Susan Kobayashi who were seated on the floor of the House.

Representative Caldwell further recognized Mr. Kobayashi and introduced the following family and friends seated in the gallery:

Mr. Bert "BJ" Kobayashi, Jr., son of Mr. Kobayashi, accompanied by his wife, Mrs. Nicole Kobayashi, and children, Master Bert Kobayashi III and Ms. Lucia Kobayashi;

Mr. Patrick Kobayashi, son of Mr. Kobayashi, accompanied by his wife, Mrs. Kris Kobayashi, and son, Master Adam Kobayashi;

Mrs. Alana Pakkala, daughter of Mr. Kobayashi, accompanied by her husband, Mr. Matt Pakkala;

Mr. James Kobayashi, brother of Mr. Kobayashi, accompanied by his daughter, Ms. Michelle Kobayashi;

Mr. Ronald Kobayashi, brother of Mr. Kobayashi; and

Ms. Kathy Inouye, CEO, Kobayashi Group.

Representative Caldwell also recognized Mr. Rick Humphreys and the many other friends and family in the gallery.

Representative Ching further recognized Mr. Kobayashi.

The motion was put to vote by the Chair and carried, and H.R. No. 63 was adopted with Representatives Nakasone and Sagum being excused.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 281-08) recommending that H.B. No. 3266, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3266, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 282-08) recommending that H.B. No. 2973, as amended in HD 1, pass Second Reading and 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.B. No. 2973, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 283-08) recommending that H.B. No. 2051, HD 1, 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.B. No. 2051, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 284-08) recommending that H.B. No. 2141, HD 1, 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.B. No. 2141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 285-08) recommending that H.B. No. 2533, 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.B. No. 2533, entitled: "A BILL FOR AN ACT RELATING TO VACCINATIONS," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 286-08) recommending that H.B. No. 2556, 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.B. No. 2556, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Takumi and Chang, for the Committee on Education and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 287-08) recommending that H.B. No. 2587, HD 1, 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.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 288-08) recommending that H.B. No. 2778, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2778, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Rep. No. 288 and House Bill 2778, House Draft 1, I would like to explain my reservations. On this particular measure, DBEDT is tasked to study tax credits and DBEDT felt that they were not the right agency to do a study on taxes because they do not have the information. The Tax Department expressed a willingness to do this as they have the information. Also, they were a little concerned about handing over certain records to DBEDT because of privacy considerations.

"So I think it's a good idea to do a study on tax credits, and this is on all the tax credits that we have. But I think it should not be done by DBEDT who did not want to do it. Thank you very much."

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

"In support of the same measure, No. 288. Mr. Speaker this measure is designed to look at the impacts of tax credits and all tax credits. DBEDT is tasked to do that. And as we went through this measure looking for the right agency to do it, whether it be DOTAX or if there are tax credits that benefit the human services, if they were to do a study on the impacts. But we felt that this measure is to look at the impacts socially and economically and DBEDT is probably is the proper place to put this.

"As far as tax information that may be confidential, in testimony they said they are trying to work on ways that they can get the information between the departments without compromise. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2778, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 289-08) recommending that H.B. No. 2781, as amended in HD 1, pass Second Reading and 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.B. No. 2781, HD 1, entitled: "A BILL FOR AN

ACT RELATING TO SMALL BUSINESS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 290-08) recommending that H.B. No. 3360, as amended in HD 1, pass Second Reading and 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.B. No. 3360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 291-08) recommending that H.B. No. 2441, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2441, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

"I'd also like to register with reservations on this measure. I just don't think that we should have to have workers' compensation coverage for students while they're interning."

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

"Thank you very much, Mr. Speaker. Just a clarification. I guess I am in support, strong or otherwise. Mr. Speaker the purpose of this bill is, and let me give you a real life example. Farrington High School has the Teacher Cadet Program whereby seniors in that high school who aspire to a career in teaching enter this Teacher Cadet Program. And as a part of that program they go out and actually work in schools. Under the current workers' compensation law, if they work at a private pre-school and they get hurt on the job, they're covered under our workers' compensation laws, as well they should be.

"However, there is a loophole. If they happen to teach at a public elementary school, say a kindergarten class, and they get hurt on the job, they are not covered. It seems to me that if a student in this program is working in a private or a public setting and gets injured on the job, they should qualify for workers' compensation.

"This bill merely extends that coverage for worker's compensation, not just in the private setting, but also in the public setting. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 292-08) recommending that H.B. No. 602, HD 1, pass Second Reading and 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.B. No. 602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Chang and Morita, for the Committee on Higher Education and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 293-08) recommending that H.B. No. 2166, pass Second Reading and 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.B. No. 2166, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 294-08) recommending that H.B. No. 2751, pass Second Reading and 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.B. No. 2751, entitled: "A BILL FOR AN ACT RELATING TO LEGISLATIVE PROCEEDINGS ON THE INTERNET," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 295-08) recommending that H.B. No. 3313, pass Second Reading and 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.B. No. 3313, entitled: "A BILL FOR AN ACT RELATING TO THE STATE CAPITOL BUILDING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 296-08) recommending that H.B. No. 2908, pass Second Reading and 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.B. No. 2908, entitled: "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 297-08) recommending that H.B. No. 2196, HD 1, as amended in HD 2, 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.B. No. 2196, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 298-08) recommending that H.B. No. 2247, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2247, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report 298-08, Relating to the Historic Preservation, in strong support. What's troubling about this issue, Mr. Speaker is that we passed this bill in 2003; one of the first times that we have preserved some 11,000 acres of South Kona because of its tremendous historic value. The Governor came to Kona, signed the bill in 2003. The *kupuna* from Milolii were there. We provided funding for the appraisal of the land so that we could start to negotiate the purchase for a trade of that land, and nothing has happened since 2003.

"We keep extending the life of this bill in the hopes that at some point the Administration will recognize the value of this tremendously historic piece of land, and proceed to acquire it through either land exchange or purchase.

"Mr. Speaker, you've been there. All the members of this body have been there, and we recognize the great value of these 11,000 acres. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2247, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 299-08) recommending that H.B. No. 2955, pass Second Reading and 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.B. No. 2955, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 300-08) recommending that H.B. No. 3272, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3272, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3272, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Pine and Thielen voting no, and with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 301-08) recommending that H.B. No. 2025, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2025, entitled: "A BILL FOR AN ACT RELATING TO TOBACCO," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 302-08) recommending that H.B. No. 2756, pass Second Reading and 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.B. No. 2756, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL LOAN GUARANTEE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 303-08) recommending that H.B. No. 2426, pass Second Reading and 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.B. No. 2426, entitled: "A BILL FOR AN ACT RELATING TO CANCER TREATMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 304-08) recommending that H.B. No. 2279, as amended in HD 1, pass Second Reading and 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.B. No. 2279, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TEACHER CADET PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 305-08) recommending that H.B. No. 2953, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2953, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 306-08) recommending that H.B. No. 3011, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3011, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 307-08) recommending that H.B. No. 3203, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3203, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 308-08) recommending that H.B. No. 3225, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3225, entitled: "A BILL FOR AN ACT RELATING TO NEIGHBORHOOD ELECTRIC VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 309-08) recommending that H.B. No. 3273, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3273, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 310-08) recommending that H.B. No. 2909, pass Second Reading and 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.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO THE FIFTIETH ANNIVERSARY OF STATEHOOD COMMISSION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 311-08) recommending that H.B. No. 3279, pass Second Reading and 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.B. No. 3279, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNITED OKINAWA ASSOCIATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 312-08) recommending that H.B. No. 3381, pass Second Reading and 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.B. No. 3381, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A GRANT TO THE USS MISSOURI MEMORIAL ASSOCIATION, INC., FOR REPAIRS AND RESTORATION OF THE BATTLESHIP MISSOURI," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 313-08) recommending that H.B. No. 2436, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2436, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 314-08) recommending that H.B. No. 2719, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2719, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2719, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Second Reading and was referred to the Committee on Judiciary with Representative Chang voting no, and with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 315-08) recommending that H.B. No. 94, HD 1, pass Second Reading and 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.B. No. 94, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 316-08) recommending that H.B. No. 3325, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3325, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 317-08) recommending that H.B. No. 2825, pass Second Reading and 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.B. No. 2825, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 318-08) recommending that H.B. No. 2002, as amended in HD 1, pass Second Reading and 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.B. No. 2002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPOSIT BEVERAGE CONTAINERS," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 319-08) recommending that H.B. No. 2515, pass Second Reading and 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.B. No. 2515, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 320-08) recommending that H.B. No. 2770, as amended in HD 1, pass Second Reading and 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.B. No. 2770, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 321-08) recommending that H.B. No. 2036, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2036, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, may I request comments on Standing Committee Report 321-08. Just with reservations. As Chair of Public Safety, I see in this bill that we're changing the law to now allow a sentence of imprisonment. So I just want to point out again, we need a financial impact analysis. I just want to point out it will have an impact. Thank you."

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

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

"Thank you, in support. Just for the Members' and the previous speaker's information, any minor who is sentenced goes to the detention home which is under the Judiciary, so it won't impact the budget of Public Safety. Thank you."

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

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

"Mr. Speaker, in support for Stand. Com. Report 321. Reducing the offense of promoting intoxicating liquor to a minor from a misdemeanor to a petty misdemeanor will permit more expeditious resolutions of these cases, because these cases will be adjudicated by bench trials instead of jury trials. This is pursuant to our case law, *State v. Lindsey*. In addition the focus of this bill is on alcohol. This is the number one drug of choice for teens in Hawaii.

"According to the Surgeon General of the United States, underage alcohol consumption is widespread and persistent. It is a public health and safety problem that creates serious personal, social and economic consequences for our *keiki*, our families and our communities. Underage alcohol is more likely to kill young people than all illegal drugs combined.

"In 2005, underage drinkers consumed 7.2 percent of all alcohol sold in Hawaii, totaling $66 million in sales. In fact, a substantial percentage of our students reported that it's very easy to get alcohol. And these percentages increase with age. For 8th graders, 47.4 percent reported they could get alcohol. For 10th graders, 72.3 percent. And for 12th graders, 81.7 percent of our students had indicated they could get alcohol. Twenty-nine percent of all treatment admissions in the State for alcohol abuse were from youth 12 to 20.

"For those reasons I believe that this measure will act as a strong deterrent because it does provide for a jail sentence for first-time offenders, albeit 24 hours. Nevertheless it's still jail sentence, and it is a deterrent. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm in strong support and I'd like the words from the previous speaker as my own," and the Chair "so ordered." (By reference only.)

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

"Thank you, Mr. Speaker. I am also in strong support, and may I have the words of the Representative of Waimanalo, and also the Representative of Kalihi entered into the record as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2036, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 322-08) recommending that H.B. No. 3310, pass Second Reading and 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.B. No. 3310, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 323-08) recommending that H.B. No. 2516, pass Second Reading and 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.B. No. 2516, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Tsuji and Yamashita, for the Committee on Agriculture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 324-08) recommending that H.B. No. 3120, as amended in HD 1, pass Second Reading and 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.B. No. 3120, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Shimabukuro and Takumi, for the Committee on Human Services & Housing and the Committee on Education presented a report (Stand. Com. Rep. No. 325-08) recommending that H.B. No. 2030, pass Second Reading and 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.B. No. 2030, entitled: "A BILL FOR AN ACT RELATING TO SCHOOL-AGE CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 326-08) recommending that H.B. No. 2114, as amended in HD 1, pass Second Reading and 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.B. No. 2114, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 327-08) recommending that H.B. No. 3008, as amended in HD 1, pass Second Reading and 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.B. No. 3008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 328-08) recommending that H.B. No. 3031, as amended in HD 1, pass Second Reading and 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.B. No. 3031, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 329-08) recommending that H.B. No. 1984, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1984, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 330-08) recommending that H.B. No. 1985, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1985, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 331-08) recommending that H.B. No. 3136, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3136, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 332-

08) recommending that H.B. No. 2379, pass Second Reading and 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.B. No. 2379, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 333-08) recommending that H.B. No. 1998, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1998, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Tokioka rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"Mr. Speaker, this bill requires the Department of Human Services to conduct a needs assessment of the deaf and blind community. In the Committee Report we also included that they use this needs assessment and the contact information to assist in contacting the deaf and blind community during times of disaster via telephone, land line and cell phone. Thank you Mr. Speaker, for the opportunity to give comments in support of this matter."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NUMBER OF BLIND, DEAF, AND DEAF-BLIND PERSONS IN THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 334-08) recommending that H.B. No. 2027, as amended in HD 1, pass Second Reading and 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.B. No. 2027, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 335-08) recommending that H.B. No. 3162, HD 1, 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.B. No. 3162, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKFORCE DEVELOPMENT COUNCIL," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 336-08) recommending that H.B. No. 3358, as amended in HD 1, pass Second Reading and 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.B. No. 3358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 337-08) recommending that H.B. No. 2960, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2960, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 338-08) recommending that H.B. No. 2466, as amended in HD 1, pass Second Reading and 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.B. No. 2466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WILDFIRE MANAGEMENT," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 339-08) recommending that H.B. No. 2467, as amended in HD 1, pass Second Reading and 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.B. No. 2467, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 340-08) recommending that H.B. No. 3112, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3112, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 341-08) recommending that H.B. No. 2009, pass Second Reading and 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.B. No. 2009, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 342-08) recommending that H.B. No. 2945, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2945, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2945, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 343-08) recommending that H.B. No. 2146, as amended in HD 1, pass Second Reading and 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.B. No. 2146, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 344-08) recommending that H.B. No. 3426, as amended in HD 1, pass Second Reading and 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.B. No. 3426, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COGNITIVE RESTRUCTURING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 345-08) recommending that H.B. No. 2160, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2160, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2160, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCIES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 346-08) recommending that H.B. No. 2306, as amended in HD 1, pass Second Reading and 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.B. No. 2306, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 347-08) recommending that H.B. No. 2555, as amended in HD 1, pass Second Reading and 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.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 348-08) recommending that H.B. No. 3064, as amended in HD 1, pass Second Reading and 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.B. No. 3064, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 349-08) recommending that H.B. No. 2696, as amended in HD 1, pass Second Reading and 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.B. No. 2696, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 350-08) recommending that H.B. No. 3044, as amended in HD 1, pass Second Reading and 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.B. No. 3044, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII RELATING TO TESTIMONY OF DEFENDANTS IN CRIMINAL CASES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 351-08) recommending that H.B. No. 2133, HD 1, as amended in HD 2, 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.B. No. 2133, HD 2, entitled: "A BILL FOR AN ACT RELATING TO NURSING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sagum being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 62) and concurrent resolutions (H.C.R. Nos. 70 through 72) were referred to Printing and further action was deferred:

H.R. No. 62, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ONLY PURCHASE OR LEASE LARGE SCHOOL BUSES THAT HAVE AN OPERABLE SEAT BELT ASSEMBLY AT ALL DESIGNATED SEATING POSITIONS AND SEAT BACKS THAT ARE AT LEAST TWENTY-FOUR INCHES IN HEIGHT," was jointly offered by Representatives Lee, Green, Carroll, Chang, Ito, Karamatsu, Magaoay, Morita, Shimabukuro, Souki, Takamine, Takumi, Tsuji and Yamane.

H.C.R. No. 70, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO RECEIVE COMPLAINTS AND INVESTIGATE INCIDENTS OF DAMAGE OR INJURIES CAUSED BY ENERGY PROJECTORIES AND TO RESPOND ACCORDINGLY," was offered by Representative Nishimoto, by request.

H.C.R. No. 71, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ONLY PURCHASE OR LEASE LARGE SCHOOL BUSES THAT HAVE AN OPERABLE SEAT BELT ASSEMBLY AT ALL DESIGNATED SEATING POSITIONS AND SEAT BACKS THAT ARE AT LEAST TWENTY-FOUR INCHES IN HEIGHT," was jointly offered by Representatives Lee, Green, Carroll, Chang, Ito, Karamatsu, Magaoay, Morita, Shimabukuro, Souki, Takamine, Takumi, Tsuji, Yamane and Yamashita.

H.C.R. No. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE A STATE AGENCY TO DEVELOP A STATEWIDE LAND USE STRATEGY TO MITIGATE POTENTIAL HAZARDS CAUSED BY CATASTROPHIC DISASTERS," was offered by Representative Herkes.

At 12:51 o'clock p.m., Representative Karamatsu requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:52 o'clock p.m.

ANNOUNCEMENT

Representative Karamatsu, for the Committee on Water, Land, Ocean Resources and Hawaiian Affairs, requested a waiver of the 48-hour notice to hear H.B. No. 3260 on Wednesday at 8:30 a.m. in Room 312, and the Chair "so ordered."

Representative Karamatsu: "House Bill 3260 is relating to fishing and establishes the fishing bag limit for *uhu* and goatfish to no more than two *kumu*, two *moano ukali*, etc., etc."

ADJOURNMENT

At 12:53 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, February 13, 2008. (Representatives Chang, Nakasone, M. Oshiro, Sagum and Takamine were excused.)

NINETEENTH DAY

Wednesday, February 13, 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 Bishop Tuisamau Alailima of the Church of Jesus Christ & Latter Day Saints, after which the Roll was called showing all members present with the exception of Representatives Nakasone, M. Oshiro, Sonson and Takai, who were excused.

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

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 14) was received and announced by the Clerk:

Sen. Com. No. 14, transmitting S.B. No. 2252, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," which passed Third Reading in the Senate on February 12, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Nakasone, M. Oshiro, Sonson and Takai were excused.)

S.B. No. 2252

INTRODUCTIONS

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

Representative Karamatsu introduced Mr. Malcolm Ching, General Manager of the Waikele Community Association and congratulated him on being named the Property Manager of the Year. Accompanying Mr. Ching were his wife, Mrs. Amy Ching; his mother, Mrs. Phyllis Ching; and mother-in-law, Mrs. Janice Suetomi. Also from the Waikele Community Association: Ms. Shaunte Guerrero, Covenants Specialist; and Ms. Emmy Takayama, Administrative Assistant.

Representative Ward introduced Mr. Rich Meiers, President of the Hawaii Healthcare Association.

Representative Cabanilla introduced Ms. Christina Simms, a graduate of Campbell High School who is volunteering in her office.

Representative Cabanilla also recognized nurses who where here for today's floor presentation honoring Wahiawa General Hospital and their work in home health care.

Representative Manahan introduced an active member of the Filipino community, Ms. Ethel Ward who was accompanied by her sister-in-law from Wisconsin.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution and concurrent resolutions were referred to committee by the Speaker:

H.R. No.	Referred to:
62	Committee on Education, then to the Committee on Finance

H.C.R. Nos.	Referred to:
70	Committee on Energy & Environmental Protection
71	Committee on Education, then to the Committee on Finance
72	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Consumer Protection & Commerce

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

H.B. No.	Re-referred to:
2283	Committee on Health, then to the Committee on Finance

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 64) was announced by the Clerk and the following action taken:

H.R. No. 64, entitled: "HOUSE RESOLUTION RECOGNIZING THE VALUE OF HOME HEALTH CARE IN OUR COMMUNITY," was jointly offered by Representatives Lee, Carroll, Chang, Evans, Green, Karamatsu, Magaoay, Nishimoto, M. Oshiro, Shimabukuro, Yamane, Har, Herkes, Ito, Morita, Souki, Takamine, Takumi, Tsuji and Yamashita.

Representative Lee moved that H.R. No. 64 be adopted, seconded by Representative Yamane.

Representative Lee commended Wahiawa General Hospital for their value to home health care in the community and introduced and recognized the following seated on the floor of the House, honorees, Ms. Rose Ann Poyzer and Ms. Lauralee Kawamata, accompanied by Ms. Poyzer's successor, Ms. Coral Andrews, and Wahiawa General's Home Health Agency Coordinator, Ms. Thelma Manuel.

Representative Lee then introduced the following in the gallery:

Ms. Barbara Matthews, Executive Director, Hawaii State Center for Nursing;
Ms. Nancy McGuckin, Instructor, UH School of Nursing;
Ms. Mary Boland, Dean, UH School of Nursing;
Mr. Rich Meiers, President and CEO, Healthcare Association of Hawaii;
Ms. Beth Hoban, Administrator/CEO, Primecare Hawaii;

Wahiawa General Hospital
Ms. Jean Lim, R.N.;
Ms. Katrina Dick, P.T.;
Ms. Jan Ching, P.T.;
Ms. AnnaBlair Publow, O.T.;
Ms. Bernadette Cabilao, MSW;
Ms. Judy Yamanuchi; and

Ms. Flo Maruyama.

The motion was put to vote by the Chair and carried, and H.R. No. 64 was adopted with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

At 12:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:38 o'clock p.m.

STANDING COMMITTEE REPORTS

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 352-08) recommending that H.B. No. 3023, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 3023, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Evans and Souki, for the Committee on Public Safety & Military Affairs and the Committee on Transportation presented a report (Stand. Com. Rep. No. 353-08) recommending that H.B. No. 2605, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2605, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I might have a potential conflict on this matter. I am a beneficiary of Stand. Com. Rep. No. 353-08 giving exemptions to Army Reservists. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2605, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARMED SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 354-08) recommending that H.B. No. 2449, as amended in HD 1, pass Second Reading and 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.B. No. 2449, HD 1, entitled: "A BILL FOR AN ACT PROTECTING CHILDREN FROM CERTAIN TOXIC PRODUCTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 355-08) recommending that H.B. No. 3242, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 356-08) recommending that H.B. No. 3152, pass Second Reading and 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.B. No. 3152, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 357-08) recommending that H.B. No. 3161, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3161, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict for Stand. Com. Rep. No. 357-08. At my law firm I represent HHSC, but not in anything related to this bill. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3161, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 358-08) recommending that H.B. No. 2286, as amended in HD 1, pass Second Reading and 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.B. No. 2286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EPILEPSY DISEASE ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 359-08) recommending that H.B. No. 2134, HD 1, as amended in HD 2, 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.B. No. 2134, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 360-08) recommending that H.B. No. 2736, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2736, HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Can I ask for the Speaker's indulgence in going back to Stand. Com. Report No. 360-08? I might have a potential conflict. I'm a partner in a small business," and the Chair ruled, "no conflict."

Representative McKelvey continued in support of the measure, stating:

"In that case, I am in strong support and have some brief comments. I'm glad to see this legislation moving forward. So often in government we forget that small business is the true backbone of the economy. I'm glad to see measures like this advance so that we can keep in mind that they really need our support and help. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 361-08) recommending that H.B. No. 2961, as amended in HD 1, pass Second Reading and 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.B. No. 2961, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 362-08) recommending that H.B. No. 3029, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3029, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like a potential conflict ruling please on Standing Committee Report No. 362. My family is in the construction area," and the Chair ruled, "no conflict."

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

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

"Thank you, Mr. Speaker. I'm rising in opposition to that same measure. Public work projects are intended to be those projects constructed for use by the State or county, or are paid for with State or county revenues. This bill however would subject lessees of public lands to these public employee wage and hour requirements, notwithstanding the fact that the lessee is a private entity operating a private business and using no public money.

"These lessees operations are not funded by government revenues or are the leases entered for the purpose of the lessees constructing improvements to be used or occupied by government agencies. I have other reasons why I'm voting no, but I'll just leave it at that for today. Thank you."

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

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

Representative 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 the report of the Committee was adopted and H.B. No. 3029, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," was referred to the Committee on Finance with Representatives Meyer and Thielen voting no, and with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 363-08) recommending that H.B. No. 3402, pass Second Reading and 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.B. No. 3402, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 364-08) recommending that H.B. No. 2740, pass Second Reading and 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.B. No. 2740, entitled: "A BILL FOR AN ACT RELATING TO THE COUNTY OF MAUI," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 365-08) recommending that H.B. No. 2412, pass Second Reading and 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.B. No. 2412, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 366-08) recommending that H.B. No.

2572, as amended in HD 1, pass Second Reading and 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.B. No. 2572, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 367-08) recommending that H.B. No. 2985, as amended in HD 1, pass Second Reading and 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.B. No. 2985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 368-08) recommending that H.B. No. 3243, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3243, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. The benefit of music knows no bounds, but without boundaries a benefit cannot be accurately measured. We continue to extol music's educational and cultural benefit, yet year after year refuse to make it more than a one percent priority in our budget. Numerous studies have shown the calming effect of music on children and adults alike. Recent brain research has suggested auditory stimulus can excite neurons from both hemispheres of the brain. Our ability to discern tones resides primarily in the right brain, the "creative" side. The rhythmic aspect of music is concerned generally with the systematic subdivision of beats, honing our math skills.

"Mr. Speaker, the Honolulu Symphony is but one of our State's repositories of musical knowledge and practical exhibition. Our musicians, though employed in other jobs, do their part to enrich our State for a very small stipend. In recent years, they have sometimes had to go without pay for extended periods of time. Mr. Speaker, this is not only a shame for the beneficiaries, it is a disincentive and indeed an insult to those we charge to provide us with this service.

"Mr. Speaker, in these lean times, this bill is also a model of financial accountability. This bill asks for only the differential needed to cover the budget shortfall. Also inserted is a provision that will void the appropriation given that the shortfall is covered. The second clause in Section two of this bill ensures that the amount appropriated will exactly match the amount needed, keeping the Endowment fiscally responsible. Thank you for the opportunity to speak on this measure."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 3243 – which would appropriate $810,000 for fiscal year 2007-2008 to support the Honolulu Symphony and its programs. This appropriation would provide significant and well-deserved aid to one of the state's most important cultural treasures, an organization that has significant impact on the economy, reputation, cultural life, and education in Hawai'i.

"The Honolulu Symphony impacts every facet of life within our community. It enhances the reputation of our State nationally and internationally, and adds to the cultural diversity of our State. The symphony provides a much needed cultural benefit to the people of Hawai'i. We are fortunate to have access to a very high caliber of classical music without having to travel to the Mainland or other countries. The Honolulu Symphony Orchestra is critical to the survival of other cultural institutions in Hawai'i, providing musicians for the Hawai'i Opera Theatre, Ballet Hawai'i, Chamber Music Hawai'i, the Maui Pops, and for numerous touring artists year-round. To have a viable symphony is a credit to and valuable asset of the city.

"The Honolulu Symphony is a vital contributor to music education in our State, through education and community outreach programs and through a well-known partnership with the University of Hawai'i Manoa Music Department. An ailing Symphony would significantly impact music education statewide. As legislators, we have a role and responsibility to the children of Hawai'i to support the development of young talent and to nurture interest in the arts. Support for the Honolulu Symphony is, in part, an investment in the future of the children of Hawai'i. Hawai'i should be proud of this cultural treasure and we as legislators ought to give it the support it needs to continue to provide the state with world-class music."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I stand in support of this measure.

"As the nation's 12th oldest symphony, and the oldest symphony west of the Rocky Mountains, the national and world recognized Honolulu Symphony plays a significant role in representing Hawaii's diverse and dynamic cultural livelihood; it stands as one of Hawaii's most essential cultural, educational, and entertainment resources.

"By the end of this season the Honolulu Symphony Education program will inspire approximately 20,000 Hawaii youth through over 190 programs in schools on Oahu, Maui, and Hawaii Island.

"Furthermore, the Honolulu Symphony has served as an investment in human capital by attracting world-class professional musicians who choose to reside in and add value to our communities. Symphony musicians impact over 10,000 students through private instruction, classroom teaching, recitals, and master classes. Orchestra musicians privately teach over 900 students in Oahu alone. The Honolulu Symphony also supports hundreds of employees from other organizations such as Hawaii Opera Theatre, Ballet Hawaii, and Chamber Music Hawaii, among many public and private schools.

"For the past ten years, the Honolulu Symphony has received worldwide recognition by attracting the highest caliber of musical artists such as Kenny Loggins, Elvis Costello, Diana Krall, and Burt Bacharach.

"Without the necessary funding, the Honolulu Symphony may lose the ability to serve our islands, and our children with the diverse, quality musical education and art it currently offers."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3243, HD 1, entitled:

"A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU SYMPHONY AND ITS PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 369-08) recommending that H.B. No. 2093, as amended in HD 1, pass Second Reading and 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.B. No. 2093, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 370-08) recommending that H.B. No. 2893, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2893, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2893, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 371-08) recommending that H.B. No. 2626, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2626, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF THE HAWAIIAN MONK SEAL AS THE STATE MAMMAL OF HAWAI`I," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 372-08) recommending that H.B. No. 2625, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2625, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF APRIL 19 AS "HAWAIIAN MONK SEAL DAY"," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 373-08) recommending that H.B. No. 2518, pass Second Reading and 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.B. No. 2518, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 374-08) recommending that H.B. No. 3345, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3345, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 374, this is House Bill 3345, which is relating to boating facilities at Keehi Lagoon. I'd like to cast a no-vote Mr. Speaker, and just brief comments. Mr. Speaker I think that the entity that should pay for that removal is the entity that is cancelling the lease with the company. Thank you."

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

"Yes on 374-08, with strong reservations and brief comments. A few years ago this matter came before this body and I really objected to it then. I'm willing to vote with strong reservations in hopes in that maybe I don't understand all the details of the deal.

"When we looked at this situation a few years back, this is a small recreational boat harbor and this particular boat repair shop is for tugboats and very large commercial boats. I know that at Honolulu Harbor the intent is to move all boat repair facilities out to Barber's Point, so it seemed like there was some competition and some advantage to allowing them to be at Keehi Lagoon. That didn't seem to fit into the greater master plan of what was supposed to go into the Lagoon. So I do have strong reservations.

"And the other thing about this is, they say it's going to improve land to try to attract tenants. I thought it was where we put it out to auction, at least that's been DLNR's past practices. Maybe the way to get the highest and best use and get more money would be to put it out to auction. So I just wonder if the deal's been cut and the agreement has been made before we put the State's tax dollars into the property."

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

"Thank you, Mr. Speaker. On that same measure, Stand. Com. Rep. No. 374, I have strong reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3345, entitled: "A BILL FOR AN ACT RELATING TO BOATING FACILITIES AT KEEHI LAGOON," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 375-08) recommending that H.B. No. 3173, as amended in HD 1, pass Second Reading and 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.B. No. 3173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 376-08) recommending that H.B. No. 3440, as amended in HD 1, pass Second Reading and 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.B. No. 3440, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISLAND OF NIʻIHAU," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 377-08) recommending that H.B. No. 2350, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2350, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker I rise in opposition to S.C.R. 377. Please cast a no-vote for me. There are three basic reasons for opposing this measure. First the language of the bill was wrong. It states that it was attempting to codify the common law concerning landowner liability. That is not correct, because instead this measure abrogates the common law that has existed in the State for at least the past 50 years.

"The second reason is that this measure will elevate the financial interests of large land owners over and above those of innocent bystanders and over basic concepts of public safety.

"Third, this measure will basically shift the burden when it comes to public safety concerns. One of the large land owners testified at a hearing and stated that if this measure passed it would basically shift the burden of maintaining its property to innocent bystanders and innocent neighbors. The example that was given in testimony was that if the landowner owned a ridgeline that contained a ten-ton boulder that was perched above a downslope neighbor or resident, that the landowner would not take any steps to correct that or to protect the downslope neighbor, but would instead invite that neighbor onto its ridgeline so that the neighbor could remove the ten-ton boulder, him or herself.

"This measure really flies in the face of basic principles of public safety, and I fear that it would be very difficult for us to explain this kind of drastic policy change to the public. Accordingly, I oppose this measure. Thank you."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2350, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Belatti, Berg and Saiki voting no, and with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 378-08) recommending that H.B. No. 3143, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3143, entitled: "A BILL FOR AN ACT RELATING TO PARENTAL PREFERENCES IN GOVERNMENT CONTRACTS, PROGRAMS, AND SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 379-08) recommending that H.B. No. 2845, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2845, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 380-08) recommending that H.B. No. 2731, pass Second Reading and 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.B. No. 2731, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR KALANIHUIA ELDERLY HOUSING PROJECT," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 381-08) recommending that H.B. No. 3303, pass Second Reading and 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.B. No. 3303, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII COUNTY ECONOMIC OPPORTUNITY COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 382-08) recommending that H.B. No. 3134, as amended in HD 1, pass Second Reading and 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.B. No. 3134, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WELL CHILD FOLLOW-UP VISITS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 383-08) recommending that H.B. No. 3231, as amended in HD 1, pass Second Reading and 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.B. No. 3231, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 384-08) recommending that H.B. No. 2169, HD 1, pass Second Reading and 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.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 385-08) recommending that H.B. No. 2385, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2385, entitled: "A BILL FOR AN ACT RELATING TO JURIES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 386-08) recommending that H.B. No. 2118, as amended in HD 1, pass Second Reading and 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.B. No. 2118, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TUBERCULOSIS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 387-08) recommending that H.B. No. 2998, as amended in HD 1, pass Second Reading and 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.B. No. 2998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 388-08) recommending that H.B. No. 3369, as amended in HD 1, pass Second Reading and 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.B. No. 3369, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR LEGAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 389-08) recommending that H.B. No. 3422, as amended in HD 1, pass Second Reading and 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.B. No. 3422, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 390-08) recommending that H.B. No. 3377, 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.B. No. 3377, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 391-08) recommending that H.B. No. 3226, HD 1, as amended in HD 2, 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.B. No. 3226, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 392-08) recommending that H.B. No. 2480, as amended in HD 1, pass Second Reading and 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.B. No. 2480, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 393-08) recommending that H.B. No. 2401, as amended in HD 1, pass Second Reading and 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.B. No. 2401, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," passed Second Reading and was referred to the Committee on

Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 394-08) recommending that H.B. No. 2507, pass Second Reading and 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.B. No. 2507, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," passed Second Reading and was referred to the Committee on Finance with Representatives Luke, Nakasone, M. Oshiro, Sonson and Takai being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following concurrent resolutions (H.C.R. Nos. 73 through 76) were referred to Printing and further action was deferred:

H.C.R. No. 73, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO RECOMMEND TO THE FEDERAL GOVERNMENT FUNDING REFORMS FOR HAWAII'S MEDICAID AND QUEST PROGRAMS," was offered by Representative Evans.

H.C.R. No. 74, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO DEVELOP A STRATEGIC PLAN, IN CONSULTATION WITH APPROPRIATE STATE AND COUNTY AGENCIES, TO INCREASE THE NUMBER OF LEVEL II SHELTERS AVAILABLE IN AN EMERGENCY TO INDIVIDUALS WITH LEVEL II DISABILITIES AND SPECIAL HEALTH NEEDS IN THE STATE," was offered by Representative Evans.

H.C.R. No. 75, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A WORKING GROUP TO EVALUATE HAWAII'S FOOD READINESS AND FOOD SECURITY IN RESPONSE TO NATURAL OR MAN-MADE DISASTERS," was offered by Representative Evans.

H.C.R. No. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY TO DEVELOP A STRATEGY TO FULLY TRANSITION ITS FACILITY TO RENEWABLE ENERGY," was offered by Representative Evans.

ANNOUNCEMENT

Representative B. Oshiro: "Thank you, Mr. Speaker. I'd just like to remind our colleagues and the staff that today is the final day for people to purchase their 'lollipops of love'. It is a fundraiser that's going toward the Hawaii Foodbank. As of today we've sold approximately 950 of these and our goal was actually to sell 1,000. But it need not be a 'lollipop of love'. It can be for any other purpose such as lust or infatuation, or more likely it will be for appreciation.

"But just to let the Members know, we will be keeping an unofficial tally as to which Member gets the most amount of lollipops. So with that having been said, Rep. Nishimoto you need to buy more than just the one that you bought for yourself. Thank you."

Vice Speaker Chong: "At this time, the Chair would like to ask everyone to stand for a moment of silence for the loss of Representative Marcus Oshiro and his family. If we could take a moment of silence to reflect and wish them well. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the late Mr. Robert Oshiro.

ADJOURNMENT

At 12:51 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, February 14, 2008. (Representatives Herkes, Luke, Nakasone, M. Oshiro, Sonson and Takai were excused.)

TWENTIETH DAY

Thursday, February 14, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Charles Couch of Calvary Chapel West O'ahu, after which the Roll was called showing all members present with the exception of Representatives Bertram and M. Oshiro, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Eighth, Ninth and Tenth Days were approved. (Representatives Bertram and M. Oshiro were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 261) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 261, informing the House that on February 13, 2008, the following bill was signed into law:

H.B. No. 2688, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS TO PROVIDE FOR THE EXPENSES OF THE LEGISLATURE, THE AUDITOR, THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN." (ACT 001)

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 15) was received and announced by the Clerk:

Sen. Com. No. 15, transmitting S.B. No. 2549, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC AUTOMOBILES," which passed Third Reading in the Senate on February 13, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representative M. Oshiro was excused.)

S.B. No. 2549, SD 1

INTRODUCTIONS

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

Representative Nishimoto, on behalf of Representatives Saiki, Brower and himself, introduced the 4th grade students of Ala Wai Elementary School. They were accompanied by their teachers: Ms. Shelly Furutani, Ms. Florence Kawamura, and Ms. Karen Yamasaki; Counselor, Mr. Jarrett Makaimoku; and chaperones, Ms. Dai Young Jung, Ms. Stella Kutaka, Ms. Aslain Joel, Ms. Naomi Horowitz, and Ms. Rita Pasalo.

Representative Takai introduced Mr. Brady Pilster of Utah, minter of the Hawaii Medal of Honor and commemorative coin. He was accompanied by his Office Manager, Ms. Lisa Vargas.

Representative Magaoay introduced Mr. William Carleton, Executive Director of the Ohio Capitol Square Review and Advisory Board, and his wife, Mrs. Pat Carleton who were on vacation.

Representative Takai then introduced Ms. Lari Yasui, former HSTA PAC Chair along with her granddaughter and friends from Orlando, Florida.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

H.C.R. Nos.	Referred to:
73	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
74	Committee on Public Safety & Military Affairs, then to the Committee on Finance
75	Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
76	Committee on Energy & Environmental Protection, then to the Committee on Finance

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:
2252	Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
1075	Committee on Economic Development & Business Concerns
2224	Committee on Health, then to the Committee on Consumer Protection & Commerce
2291, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2357	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 395-08) recommending that H.B. No. 2772, HD 1, as amended in HD 2, 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.B. No. 2772, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 396-08) recommending that H.B. No. 2693, pass Second Reading and 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.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 397-08) recommending that H.B. No. 3293, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3293, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 397, which has to do with the Constitutional Convention, I speak in favor with a couple comments. Mr. Speaker, this is a very important bill in that for 30 years we have not had a Constitutional Convention. I commend the authors for moving ahead of this, and with it.

"But I wanted to draw the attention of the body regarding what was the latest omnibus survey of Hawaii residents in regard to the Constitutional Convention. I believe most of the people want one, except they said there are some limits regarding the cost they are willing to bear. It's said if the cost is $20 million, 75 percent would disapprove it. If the cost was $15 to $19 million, 65 percent would disapprove it. And if it was $10 to $14 million, still Mr. Speaker a majority of people in the State of Hawaii, if this is an accurate assessment of what they've given, 53 percent are opposed to a Constitutional Convention.

"So what am I saying? Why am I standing up? Because if this goes to the Finance Committee, I think it's a message to all the members of the Committee, it's a message to the Members of this body. If it's too expensive, if we do paper ballots rather than Internet voting and other kinds of innovative and creative things that are not so expensive, I think it will go the way that each vote has done in the past where blank votes are no-votes. And if people aren't showing up because of the costs and they stay out of it, it's going to be very difficult.

"So I say this as an encouragement for the Constitutional Convention, but as a caution because of the costs. The people of Hawaii, which are increasingly having the cost of living go up and they feel very frustrated, perhaps they might not be willing to go beyond these, at least $10 to $14 million. Beyond that I think it's beyond sight. So I think we've got to say $5 to $10 million if we're going to get in the ballpark. Thank you very much."

At 12:18 o'clock p.m., Representative Ching requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:19 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO A CONSTITUTIONAL CONVENTION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 398-08) recommending that H.B. No. 3053, as amended in HD 1, pass Second Reading and 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.B. No. 3053, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTARIES PUBLIC," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 399-08) recommending that H.B. No. 3056, as amended in HD 1, pass Second Reading and 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.B. No. 3056, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLE VI OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 400-08) recommending that H.B. No. 2463, as amended in HD 1, pass Second Reading and 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.B. No. 2463, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 401-08) recommending that H.B. No. 2847, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2847, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 402-08) recommending that H.B. No. 2856, pass Second Reading and 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.B. No. 2856, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 403-08) recommending that H.B. No. 2273, as amended in HD 1, pass Second Reading and 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.B. No. 2273, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 404-08) recommending that H.B. No. 2039, as amended in HD 1, pass Second Reading and 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.B. No. 2039, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 405-08) recommending that H.B. No. 2207, pass Second Reading and 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.B. No. 2207, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 406-08) recommending that H.B. No. 2757, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2757, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on page 4, Stand. Com. Rep. 406-08, my husband works for Hawaii Medical Center and I would like to disclose this," and the Chair ruled, "no conflict."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 406-08 and House Bill 2757, Relating to Hospitals. This bill would establish a program in the Department of Health to make or guarantee loans to hospitals for capital improvements, equipment, supplies, materials, or working capital. If passed, this measure would provide the State with a strategic tool with which it can enable hospitals such as the Hawaii Medical Center (HMC) to respond effectively to Hawaii's need for affordable, high-quality health care to Hawaii's most underserved patients.

"I urge my colleagues to support this measure and to pass it through so that the HMC can continue to remain solvent and active in providing care to the rapidly growing destitute patient population."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2757, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 407-08) recommending that H.B. No. 2758, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2758, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 407-08 and House Bill 2757, Relating to Health, which requires the Department of Taxation to defer general excise tax collection for a for-profit hospital group that provides services to an annual patient population consisting of sixty per cent or more uninsured, Medicaid and Medicare patients for hospital operations.

"This deferment is necessary to help keep hospitals like the Hawaii Medical Center solvent during a transitionary period - so they can continue to provide medical services to this underserved population. In return, HMC will be operating like a nonprofit, in that it will not be making any distributions during this deferment period, but instead is committed to investing all its resources in its facilities, operations and services in order to continue to serve this rapidly growing destitute patient population.

"The survival of the HMC is critical, as they service 8,000 in-patients for over 75,000 patient days annually. This does not include the thousands of outpatients that are also served annually and the unique services provided by HMC that other hospitals are not able to absorb. In addition, HMC employs over one thousand employees who contribute hundreds of thousands of dollars in federal and State income taxes that help support the economy of our State.

"I ask my colleagues to recognize the need for this measure to ensure continued service to the underserved, and ask them humbly to pass this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 408-08) recommending that H.B. No. 3249, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 409-08) recommending that H.B. No. 3406, pass Second Reading and 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.B. No. 3406, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS MODERNIZATION," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 410-08) recommending that H.B. No. 2042, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2042, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 411-08) recommending that H.B. No. 2346, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2346, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 412-08) recommending that H.B. No. 3133, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3133, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MANDATORY REPORTING OF CHILD ABUSE AND NEGLECT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 413-08) recommending that H.B. No. 3379, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3379, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 414-08) recommending that H.B. No. 2238, pass Second Reading and 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.B. No. 2238, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 415-08) recommending that H.B. No. 2513, pass Second Reading and 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.B. No. 2513, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO THE DWELLING UNIT REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 416-08) recommending that H.B. No. 2047, as amended in HD 1, pass Second Reading and 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.B. No. 2047, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 417-08) recommending that H.B. No. 2425, as amended in HD 1, pass Second Reading and 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.B. No. 2425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SENIOR CENTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 418-08) recommending that H.B. No. 2761, as amended in HD 1, pass Second Reading and 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.B. No. 2761, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 419-08) recommending that H.B. No. 2816, as amended in HD 1, pass Second Reading and 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.B. No. 2816, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 420-08) recommending that H.B. No. 1629, as amended in HD 1, pass Second Reading and 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.B. No. 1629, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATION INCOME TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 421-08) recommending that H.B. No. 2559, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2559, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 422-08) recommending that H.B. No. 3060, HD 1, as amended in HD 2, 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.B. No. 3060, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 423-08) recommending that H.B. No. 2512, as amended in HD 1, pass Second Reading and 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.B. No. 2512, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 424-08) recommending that H.B. No. 2735, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2735, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in support with a comment on 424, relating to public housing and an allocation of funds to hire three security guards at Mayor Wright housing. This is an important and essential bill for the safety and security of the residents, however my comment Mr. Speaker is that while worthwhile, I'm afraid the bill is symptomatic of how micromanaging we are becoming.

"I know all of our areas have many, many needs, but if we've got to pass a piece of legislation just to get three security guards, either the departments aren't doing their job, or we're having to do their job for them. And I know this is worthwhile, but it seems as though if we really did everything that was needed by everybody in all of our districts in all of the State, we would probably have a full time Legislature, we'd probably be here 24/7 in order to do those things.

"So it's a good bill, but it's symptomatic of the creeping micromanagement that I think this body needs to be aware of. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2735, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 425-08) recommending that H.B. No. 2588, HD 1, 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.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 426-08) recommending that H.B. No. 3309, HD 1, 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.B. No. 3309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 427-08) recommending that H.B. No. 2519, HD 1, as amended in HD 2, 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.B. No. 2519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 428-08) recommending that H.B. No. 2881, HD 1, as amended in HD 2, be referred to the Committee on Finance.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, and the report of the Committee was adopted and H.B. No. 2881, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 429-08) recommending that H.B. No. 3398, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3398, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am in strong support of Standing Committee Report 429-08 and House Bill 3398, Relating to Foreign Language Programs. I heard this measure in your Committee on International Affairs and received much spirited testimony in support of the need for Philippine language studies.

"In the United States of America, there are four million persons of Philippine descent. Across the world, in Saudi Arabia there are 800,000, in Japan, there are 300,000. All around the world this is a growing population, and as such, to be competitive in this increasingly networked world, a competency in Philippine languages will be increasingly necessary.

"I ask my colleagues to please support this measure and pass it through."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3398, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LANGUAGE PROGRAMS," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 430-08) recommending that H.B. No. 2887, as amended in HD 1, pass Second Reading and 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.B. No. 2887, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOOING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 431-08) recommending that H.B. No. 3262, as amended in HD 1, pass Second Reading and 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.B. No. 3262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 432-08) recommending that H.B. No. 3391, as amended in HD 1, pass Second Reading and 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.B. No. 3391, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 433-08) recommending that H.B. No. 2358, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIABILITY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 434-08) recommending that H.B. No. 2607, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2607, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 434, relating to land use on the North Kohala coastline, I'd like have a vote cast with reservations, Mr. Speaker. And my reason, Mr. Speaker is that most of the land is under State control and by changing its land use classification, we may be prohibiting the State from doing certain things that would be to the benefit of the community in the conservation district. Thank you."

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

"Mr. Speaker, I stand in strong support with brief comments. The community has been working many, many years on this part of the coast, on the North Kohala coast and it's *makai* of the highway.

"Anyone who drives out of Kawaihae up to Hawi knows that it's a narrow strip of land, it's not very deep between the highway and the ocean. What we know is that King Kamehameha, that was his coastline, his birth place is in that area. There are a lot of artifacts, a lot of heritage, and also a lot of culture in that area. I think the community believes this is really an asset that we need to preserve in open space, as well as preserving all the culture that's there. So I ask for everybody's support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2607, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 435-08) recommending that H.B. No. 2364, HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2364, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SAFETY OF MINORS ON ALL-TERRAIN VEHICLES," was referred to the Committee on Judiciary with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 436-08) recommending that H.B. No. 3089, as amended in HD 1, pass Second Reading and 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.B. No. 3089, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 437-08) recommending that H.B. No. 2308, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2308, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict for Stand. Com. Report 437-08. At my law firm, I represent a number of non-profits and charitable organizations. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2308, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 438-08) recommending that H.B. No. 2326, as amended in HD 1, pass Second Reading and 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.B. No. 2326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 439-08) recommending that H.B. No. 3088, as amended in HD 1, pass Second Reading and 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.B. No. 3088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE PRACTICES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 440-08) recommending that H.B. No. 3196, HD 1, 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.B. No. 3196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 441-08) recommending that H.B. No. 2323, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2323, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Standing Committee Report No. 441, relating to resort beach restoration, I would like to have a vote with reservations cast for me please. Mr. Speaker, my concern is that this places resort beaches in priority over our other beaches used by our communities throughout the State. Thank you."

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

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

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

"Also with reservations, Mr. Speaker, primarily because so many of these beach restorations, the original restorations in Waikiki actually wiped out the reef that was beautiful there. It was right off the coast and it is now covered in sand. So I'm concerned that a lot of these things aren't being done looking at the whole ecosystem, especially in this year of the reef. So we need to look at not just the beaches, but the reef as well."

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

"Thank you Mr. Speaker, in support of Standing Committee Report 441. For about 50 years we've had serious erosion problems in Waikiki. This measure is looking for both public and private sector support. These are the beaches in an area that generates approximately 10 to 12 percent of our economy here.

"So I just am very glad that this is going through. I don't think it is a perfect bill, but its one that I think needs support and more discussion needs to take place if we're going to bring people and keep Waikiki as the capital of the world. Thank you."

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

"Mr. Speaker, I'm standing in strong support. Mr. Speaker, this bill will create a subaccount within the current account in the Department of Land and Natural Resources. We made it very clear to the Department that we do not want this to alter their priorities regarding beach restoration.

"Actually what this does is, for Members' clarification, it allows a different type of funding mechanism to allow private, county, as well as a tourism association to team up with government to make needed changes in beaches. This is an opportunity and discussion process which will promote and further develop areas that are being hardest hit through tourism. Thank you, Mr. Speaker."

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

"In support. Just real quickly. I know it says, 'resort beaches', but many of these beaches are used by public quite extensively and this benefits the public. It definitely benefits the public from surfing, to diving, to just going to the beach on Sunday. The public really uses these beaches. I just hope that Members will look at that. And although the title says, 'resort beaches', I believe that these beaches are a great asset to the public and are used heavily by the public as well. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2323, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO BEACHES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 442-08) recommending that H.B. No. 2566, pass Second Reading and 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.B. No. 2566, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 443-08) recommending that H.B. No. 2301, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2301, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise with reservations on Stand. Com. Report No. 443, Relating to Dentistry, which is not really relating to dentistry in that it says it will be unlawful to interfere in the practice of dentistry, and it will be unlawful for the practice of dentistry in the commercial or mercantile establishment.

"To boil it down this is an anti-Costco, anti-Wal-Mart, anti- if you will, allowing the people of Hawaii who are drowning under the cost of living to have a chance to perhaps get something a little less expensive. I don't think we should deny the people of Hawaii this service. In the hearing, it was said what if at 3:00 in the morning you need dental surgery? This is not going to take away the practice of dentistry and dental surgeons that already exist to take care of those things. But this is giving the people of Hawaii an option. If Costco or Wal-Mart or whoever wants to bring in dentists, as they have optometrists and others, in order to facilitate and make it easier, as well less expensive, I don't think we should have this anti-trade kind of bill coming across our desk.

"So if this is related to dentistry, I think its anti-Wal-Mart, it's anti-Costco, it's anti-savings to the people of Hawaii. Thank you, Mr. Speaker."

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

"Mr. Speaker, I am standing in support. In Committee, the way we understood this bill was that the other doctors in town who have offices elsewhere other than these big establishments where you can't get in on a 24 hour basis, these doctors are held to be the ones that have to wake up in the middle of the night and pick up other dentists' clients.

"I know that in the dental and medical profession, since they work all day, it's really a big deal for them to be awaked at certain hours in the morning or at night to attend to their patients, which they most definitely will attend to if it's their own patient. They would feel obligated to do that. But I feel there is a lot of hesitation amongst dentists to service patients of other dentists who cannot, because the facilities that they have would not allow them to do so. So I think it is as simple as that, Mr. Speaker. Thank you."

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

"Thank you, Mr. Speaker. Very briefly in support. I would reiterate some of those premises. If a dental office is open in a Costco or a Wal-Mart or Kmart and a patient has terrible abscess or something late at night, that patient who is in the practice of the dentist working there will not be able to have their dentist take care of them, and that creates an imbalance in the entire profession of dentistry. That was the premise of the bill.

"It was not an easy call for this bill in Health Committee, but dentists, unlike a lot of other professions, can't send people to the ER for that surgery. And they can't do a house-call because they have to have very expensive equipment that is built into their office. They can't move it. They can't take it to do the surgery. So if we don't come to an accommodation with this bill, what we will be doing is we'll have dentists that are able to perform their discipline only during work hours, but then during the after hours, those who sign up with those dentists won't be getting full services.

"This was an attempt by my reading, from the dental community, to have a really comprehensive approach to their practice. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Mr. Speaker. Just a brief rebuttal. Number one, I don't believe there's a Hippocratic oath that says either in any profession, medical or otherwise, and the good doctor from Kona should know, that if you're not my patient, I'm not going to heal you. I don't think dentists have that sense, mentality or spirit, that if you're not on my rolls therefore I can't handle you. I think that is not a full representation of the service that the dentists give to our community.

"Secondly there's nothing that says that Wal-Mart or Kmart or whoever the 'marts' are, the' big boxes', are not going to have access in the middle of the night. There's not a lock-out that's implied, if and when they ever do put this into gear. So the sense of, 'you're not my client; I can't heal you,' I think is a stretch.

"And then lastly, Mr. Speaker, this is a rare occasion, that in the middle of the night your abscess is going to break out, so we may have 1 in 500,000. But for the masses of people who could benefit from this, that's what I'm talking about. I don't want to speak against those who in the middle of the night need service, but the bill is for the people of Hawaii and I think there are enough safety nets for those who have emergencies in the middle of the night that they will be taken care of. Thank you, Mr. Speaker."

Representative Green rose to respond, stating:

"Thank you, Mr. Speaker. I promise to be very short, but I feel the need to rebut the comments made earlier. The nature of the medical relationship, whether it is your dentist or doctor, when you see your primary care physician or your specialist, you have a rapport with them and that's who your best bet to get good treatment is from. If suddenly your dentist is not allowed to see you, or can't see you at night, you're going to get worse treatment because you're going to end up going to some other dentist who doesn't know your anatomy, who doesn't know the bacteria that you're being affected by, that doesn't know the major problem that you're being affected by.

"So this, if the dentists can only see somebody during the daytime, this will result in less good care for people. If somehow we can convince Wal-Mart to open at night, it's a moot point. No one believes that they're going to open up their doors for a dental emergency at 2:30 in the morning or 3:00 in the morning to help some poor guy with a dental abscess or something worse. So that's the point of this bill. But the comments that were made were uninformed about the patient/physician dynamic."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 444-08) recommending that H.B. No. 2198, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2198, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, just in support of 444, House bill 2198, I'd like to insert comments. This is a part of the Joint Legislative Committee of Family Care Giving package of bills so that's important and which we actually discussed this morning in Public Safety related to the children of incarcerated persons. Many of those children are being cared for by grandparents. Thank you."

Representative Lee's written remarks are as follows:

"I am in support of this measure. Many testifiers appeared during the 2006 interim before the Joint Legislative Committee on Family Caregiving, which I co-chaired, in support of recognizing the numerous hidden grandparents as family caregivers in our communities. Falling outside the scope of the JLCFC, it became apparent this group had been overlooked. The definition of family caregiver was then revised under Act 204 to include this group.

"During the 2007 Interim, the UH Department of Family and Consumer Science prepared the Needs Assessment of Grandparents Raising Grandchildren. This report revealed that over 14,000 grandparents are primary caregivers for more than 33,000 grandchildren, statewide. The grandparents needs assessment also revealed that these grandparents providing care for their grandchildren experience emotional, physical, and financial hardships.

"These grandparents take roles that reach deep in our communities. They play a crucial role in insuring the well being of Hawaii's children. They also save the State approximately $17 million per month by caring for their grandchildren outside the foster care system.

"It is essential for our grandparents, who are taking care of our children, to receive the recognition and support that has been long overdue."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2198, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 445-08) recommending that H.B. No. 2698, HD 1, as amended in HD 2, 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.B. No. 2698, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 446-08) recommending that H.B. No. 3042, as amended in HD 1, pass Second Reading and 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.B. No. 3042, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE XVI OF THE CONSTITUTION OF THE STATE OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 447-08) recommending that H.B. No. 2297, as amended in HD 1, pass Second Reading and 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.B. No. 2297, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 448-08) recommending that H.B. No. 2922, 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.B. No. 2922, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 449-08) recommending that H.B. No. 2211, pass Second Reading and 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.B. No. 2211, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASTEWATER PROJECTS," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 450-08) recommending that H.B. No. 3442, pass Second Reading and 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.B. No. 3442, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 451-08) recommending that H.B. No. 2661, as amended in HD 1, pass Second Reading and 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.B. No. 2661, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Second

Reading and was referred to the Committee on Finance with Representatives Nakasone, M. Oshiro and Sonson being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 452-08) recommending that H.B. No. 2502, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2502, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture with Representatives Nakasone, M. Oshiro and Sonson being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 65) and concurrent resolutions (H.C.R. Nos. 77 through 81) were referred to Printing and further action was deferred:

H.R. No. 65, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, TO RECONSIDER THE PROPOSED RULE AMENDMENT USCBP-2007-0098, HAWAII COASTWISE CRUISES," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.C.R. No. 77, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF THE GOVERNOR, THE SENATE, AND THE HOUSE OF REPRESENTATIVES TO STUDY ISSUES RELATING TO THE CONTINUATION OF STATE GOVERNMENT DURING AN EMERGENCY," was offered by Representative Evans.

H.C.R. No. 78, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU," was jointly offered by Representatives Magaoay, Mizuno, B. Oshiro and Tokioka.

H.C.R. No. 79, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, TO RECONSIDER THE PROPOSED RULE AMENDMENT USCBP-2007-0098, HAWAII COASTWISE CRUISES," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen and Ward.

H.C.R. No. 80, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT PAHOA HIGH AND INTERMEDIATE SCHOOL DEDICATE ITS GYMNASIUM IN HONOR OF FORMER REPRESENTATIVE HELENE H. HALE, BY CHANGING THE NAME OF THE GYMNASIUM TO "HELENE H. HALE GYMNASIUM"," was jointly offered by Representatives Hanohano, Berg, Cabanilla, Carroll, Chang, Ching, Evans, Finnegan, Green, Herkes, Lee, Luke, Marumoto, Meyer, Morita, Takumi, Thielen, Tsuji and Takamine.

H.C.R. No. 81, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DESIGNATION OF APRIL 6TH OF EVERY YEAR AS TARTAN DAY IN HAWAII," was jointly offered by Representatives Caldwell, Evans, Herkes and McKelvey.

ANNOUNCEMENT

Representative Awana: "Thank you, Mr. Speaker. I'd like to just share with our House Members that following session today, we have a fellowship luncheon in Room 437."

Representative B. Oshiro: "Mr. Speaker, I'd just like to thank everyone for participating in our Hawaii Foodbank fundraiser where we sold approximately over 1,080 lollipops, and raising over $600 for the Hawaii Foodbank. I'd especially like to thank Erica in my office, our legislative intern who coordinated this and did all the hard work.

"And finally, we didn't keep an unofficial tally of who received the most lollipops, but we do have an official tally as to which office actually gave out the most and that is our Majority Leader, Representative Caldwell's office who bought the most lollipops. I'm not sure if that means that he has 'pissed-off' the most amount of people and needs to make up for it, or he is actually just expressing some aloha. But thank you to everyone nonetheless. Thank you."

Representative Takai: "Thank you, Mr. Speaker. I believe it's the former. I'm just kidding. I just wanted to remind everyone again that at 1:30 in Room 423, Brady is going to be making himself available. And I do have my coin and another example of a coin he made. So if any of you are interested, I'll just keep it up here for a few minutes after session. Thank you, Mr. Speaker."

Representative Ward: "Mr. Speaker I rise as the only male in the Minority Caucus to thank Representative Ching and all the ladies that have been so kind to me, and for the gifts that Representative Berg has given also as a gesture on Valentine's Day. So happy Valentine's Day to all the ladies and gentlemen. Thank you."

Speaker Say: "Vice Speaker, who do you think I should pick on in asking a question?"

Vice Speaker Chong: "Mr. Speaker, I think the Representative from Pukalani/Makawao is available."

Speaker Say: "Representative Yamashita, will you yield to a question? What was Act 1 today?"

Representative Yamashita: "I'm sorry, Mr. Speaker. I don't know."

Speaker Say: "Act 1 was the Legislative Budget bill that was adopted and signed into law. So for all of you who have your delinquent payments, you can go and see the Clerk's Office and get those done with your allowance."

ADJOURNMENT

At 12:38 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 15, 2008. (Representatives Nakasone, M. Oshiro and Sonson were excused.)

TWENTY-FIRST DAY

Friday, February 15, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Daiya Amano of Izumo Taisha Kyo Mission of Hawaii, after which the Roll was called showing all members present with the exception of Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi, who were excused.

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

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. No. 262 and 263) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 262, dated February 13, 2008, transmitting the Report to the Twenty-Fourth Legislature, State of Hawaii, 2008, Pursuant to Section 52 of Act 213 Session Laws of Hawaii 2007, Requiring a Report by State Health Planning and Development Agency to Develop and Maintain a Secure Statewide Comprehensive Health Care Workforce Map and Database.

Gov. Msg. No. 263, dated February 15, 2008 [*sic*], transmitting the Department of Accounting and General Services' Report on the Feasibility and Cost of Establishing a Team of Specialists to Assist Departments in the Review of Business Processes and Procedures.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 16 through 18) were received and announced by the Clerk:

Sen. Com. No. 16, transmitting S.B. No. 2399, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," which passed Third Reading in the Senate on February 14, 2008.

Sen. Com. No. 17, transmitting S.B. No. 2982, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on February 14, 2008.

Sen. Com. No. 18, transmitting S.B. No. 3061, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," which passed Third Reading in the Senate on February 14, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi were excused.)

S.B. No. 2399
S.B. No. 2982
S.B. No. 3061

INTRODUCTIONS

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

Representative Manahan introduced 5th grade students from Puuhale Elementary School and their teachers, Ms. Sandi Kekina and Mr. Kennison Pang.

Representative Mizuno introduced organizers of the Invisible Children of Uganda's Peace March and Capitol Sleepover:

President, Ms. Sara Ortiz; Vice President, Mr. Duda Beseeg; Ms. Lacy Greninger, Ms. Chelsea Travis, Ms. Aya Sato, Mr. Christopher McGuire, and Mr. Paul Tran.

Representative Ward further recognized the members of the Invisible Children of Uganda.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution and concurrent resolutions were referred to committee by the Speaker:

H.R. No.	Referred to:
65	Jointly to the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs

H.C.R. Nos.	Referred to:
77	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management
78	Committee on Legislative Management
79	Jointly to the Committee on Tourism & Culture and the Committee on Public Safety & Military Affairs
80	Committee on Education
81	Committee on Tourism & Culture

The following bill was referred to committee by the Speaker:

S.B. No.	Referred to:
2549, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
877, HD1	Committee on Health, then to the Committee on Finance

1474, HD1	Committee on Health, then to the Committee on Finance
1476	Committee on Health, then to the Committee on Finance
1975, HD1	Committee on Finance
2013, HD1	Committee on Health, then to the Committee on Finance
2015, HD1	Committee on Health, then to the Committee on Finance
2016, HD1	Committee on Health, then to the Committee on Finance
2040	Committee on Finance
2119, HD1	Committee on Health, then to the Committee on Finance
2151, HD1	Committee on Health, then to the Committee on Finance
2514	Committee on Human Services & Housing, then to the Committee on Finance
2700	Committee on Finance
2718	Committee on Finance
2954	Committee on Transportation, then to the Committee on Consumer Protection & Commerce
3181, HD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

At this time, the Chair announced:

"Members of the House, at this time on your Order of the Day there are 37 pages of measures before us, a total of 218 measures. The Chair would like to request that we try to get through this by 2:00 since we have meetings and hearings at 2:00. If we're not finished by 2:00, the Chair would like to recommend that we all come back at 5:00 to finish. So if we can finish by 2:00, then we don't have to come back and we can start our long weekend early."

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 453-08) recommending that H.B. No. 1980, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1980, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 454-08) recommending that H.B. No. 3197, pass Second Reading and 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.B. No. 3197, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 455-08) recommending that H.B. No. 3407, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3407, HD 1, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you Mr. Speaker on Stand. Com. Rep. No. 455, I would like a ruling on a potential conflict. I am a partner in a gas station. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 456-08) recommending that H.B. No. 3367, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3367, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3367, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 457-08) recommending that H.B. No. 3109, pass Second Reading and 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.B. No. 3109, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 458-08) recommending that H.B. No. 2139, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 459-08) recommending that H.B. No. 2888, as amended in HD 1, pass Second Reading and 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.B. No. 2888, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 460-08) recommending that H.B. No. 2171, HD 1, pass Second Reading and 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.B. No. 2171, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 461-08) recommending that H.B. No. 2063, as amended in HD 1, pass Second Reading and 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.B. No. 2063, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 462-08) recommending that H.B. No. 2759, as amended in HD 1, pass Second Reading and 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.B. No. 2759, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 463-08) recommending that H.B. No. 3326, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3326, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3326, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 464-08) recommending that H.B. No. 3413, as amended in HD 1, pass Second Reading and 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.B. No. 3413, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HANA HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 465-08) recommending that H.B. No. 2298, as amended in HD 1, pass Second Reading and 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.B. No. 2298, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 466-08) recommending that H.B. No. 3332, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3332, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 467-08) recommending that H.B. No. 2173, HD 1, as amended in HD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2173, HD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. No. 467, Relating to Health, I have a very brief comment in support. Just as a heads up that as many of us stand here on the Floor, that a society is judged by how it treats its most vulnerable. This is where really the 'rubber meets the road', because the most vulnerable, those who have lost their mind and need treatment, this is a bill which comes and then fails because of various concerns in the Judiciary.

"I would just make a plea that these are the people who need medicine. We can't actually share information and medicine with them that gives them back their consciousness, and their sanity and their ability to live again. These people are so vulnerable and right now doctors, psychiatrists can treat them because the medicine that gives them back their reality that they need. And this bill can do it. But every time it gets torpedoed to the Judiciary. So I would plea, if we're going to stand and say that we want the most vulnerable to be protected, this bill is where the 'rubber meets the road'. Thank you very much."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2173, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 468-08) recommending that H.B. No. 2776, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2776, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 469-08) recommending that H.B. No. 2675, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2675, HD 1, pass Second Reading and be referred jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I stand in support, but with strong reservations. The difficulty with this issue is that marijuana, an illegal substance, is legal for the purpose of medication as long as you go through a certification process. I had the chance to speak personally with police officers who work in this area and they have had trouble with patients operating beyond what the current law allows. This starts to widen the gray area of legal and illegal use of marijuana making it difficult to enforce the laws prohibiting illegal use of marijuana.

"I believe that the existing parameters for medical marijuana are liberal and that the amendment to increase the amount of plants per certified user is moving toward legalizing marijuana. I am against legalizing marijuana. Thank you, Mr. Speaker."

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

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

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

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

"Yes on Stand. Com. No. 469, in strong support. Just to mirror what the Representative from Hawaii Kai was talking about, the vulnerable in our State and the people who need medicine, this is another group of people who need that same protection for the medicine that they need for the various ailments that they have. They're not only trying to get it from the doctors, but once they try to get it, they're vulnerable not only to some thugs, but also from our own law enforcement agencies that are not following State policy.

"So I would like to ask you to really think and look into your hearts for what we've promised these people seven years ago when we made this available to them. Are we going to do that? Or do we take it away? Because right now it's a promise not being fulfilled, and we have to do something to help these folks. Thank you."

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

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

"Thank you, Mr. Speaker. On that same report, I have very strong reservations."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2675, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Second Reading and was referred jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary with Representatives Har and Ward voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 470-08) recommending that H.B. No. 3163, HD 1, 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.B. No. 3163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 471-08) recommending that H.B. No. 2952, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2952, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2952, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was referred to the Committee on Finance with Representatives Thielen and Ward voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 472-08) recommending that H.B. No. 2094, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2094, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2094, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Marumoto, Meyer and Thielen voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 473-08) recommending that H.B. No. 96, HD 2, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 96, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT," was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 474-08) recommending that H.B. No. 2330, HD 1, as amended in HD 2, 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.B. No. 2330, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 475-08) recommending that H.B. No. 509, HD 1, as amended in HD 2, pass Second Reading and 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.B. No. 509, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 476-08) recommending that H.B. No. 1982, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1982, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1982, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CUSTOMER SERVICE," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 477-08) recommending that H.B. No. 2007, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2007, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I stand in support, but have some reservations. I don't support the requirement of the Auditor conducting a financial and management audit of each commissary located in a Hawaii, correctional facility, as well as commissaries located at out-of-state contracted correctional facilities where Hawaii inmates are confined. I do not like that we are putting emphasis on the commissaries when the Department of Public Safety is willing and is moving toward rectifying some of the complaints that prisoners are making. In the PSM Committee the concern was about having Hawaii products in the commissaries. Another concern was that prices were high. The Department testified that they were committed to changing the way they purchased and sold products and it will most likely bring down prices.

"I think that a requirement to conduct performance audits of private prisons on the mainland that house Hawaii prisoners is a reasonable request. The part of the conversation that is lost in all of the discussion is there are prisoners, I do not know to what extent, confined on the mainland and would rather be in a mainland facility than in a Hawaii facility. There is no doubt that the ideal situation is to have prisoners in Hawaii to give them the best chance for successful reintegration into the community once they have served their sentences. However, the reality for now is that prisoners in a mainland facility cost less, have access to more programs, and relieve overcrowding of Hawaii prisons. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2007, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 478-08) recommending that H.B. No. 2267, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2267, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2267, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Marumoto, Meyer and Thielen voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 479-08) recommending that H.B. No. 2280, 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.B. No. 2280, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 480-08) recommending that H.B. No. 2506, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2506, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2506, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 481-08) recommending that H.B. No. 2510, HD 1, 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.B. No. 2510, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 482-08) recommending that H.B. No. 3428, HD 1, 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.B. No. 3428, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN LANGUAGE," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 483-08) recommending that H.B. No. 3352, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3352, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

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

"Mr. Speaker, I'm voting with reservations and have a comment. Mr. Speaker, we talk about, and I've spoken about micromanaging from the Floor. This is basically an uncivil relationship between a couple of organizations, and I don't think we should probably get in the middle of it. So I am with strong reservations. Thank you."

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

"Thank you. I have strong reservations for 483-08 also."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3352, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," was referred to the Committee on Finance with Representatives Bertram, McKelvey and Rhoads voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 484-08) recommending

that H.B. No. 2263, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2263, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 485-08) recommending that H.B. No. 3228, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 486-08) recommending that H.B. No. 3269, pass Second Reading and 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.B. No. 3269, entitled: "A BILL FOR AN ACT RELATING TO ABANDONED VEHICLES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 487-08) recommending that H.B. No. 1972, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1972, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like the Clerk to cast a no vote for me on Stand. Com. 487. As I understand it this bill, House Bill 1972, would establish a traffic advisory AM radio station and appropriate money to do it. Well anyone that listens to Perry and Price in the morning knows that every ten minutes we get our traffic updates and they're done very well. So I don't see why we need to spend taxpayers' money to create a different radio station that people probably won't even tune into because it won't be that interesting. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. Just briefly to educate my colleague on the other side of the island. This is not an innovative approach. In fact, 20 other states already do this. And it's not only traffic, it can be for weather.

"If you recall, two years ago in October when the power went out throughout the entire island, those of us who had radios with batteries or we turned on our car radios and we went to KSSK to listen, what did we hear? We had a canned discussion about the constitutional amendment on the ballot in 2006. That is inappropriate from my perspective. If we had a huge disaster, a catastrophic shutdown on the freeway or some other natural or man-made disaster, I think it's important for people to get up-to-the minute, all-the-time information, whether it's traffic or weather.

"This particular bill provides the opportunity for us to pursue this. It is a work in progress. It is going to take probably a few more sessions to get the bugs out, but I'm very appreciative of the Department of Transportation for their testimony in support of this bill. I've had numerous conversations with the Department of Transportation Services on the City side, and we're all moving forward on this. And I think today the people of this State, people across the world for that matter, expect information on-time and now. This as an opportunity to provide them with that information. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In strong support. As Chair of Public Safety, we've been considering the idea of advisory radio stations regionally around the State. I really like this idea of having an advisory radio station because we have visitors from around the world coming here that don't really understand sometimes when there's traffic congestion. It would be nice to see it publicized and be common knowledge that we have a certain radio station that people can turn to to get updated information. This is just the beginning of something I'd like to see for an emergency advisory radio station. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Again in support. Those of us on the Windward side without power tuned our radios to Perry and Price … Oh I'm so sorry. I am in support of my own position, but in opposition to the bill. Thank you Mr. Speaker.

"Those of us on the Windward side tuned in to Perry and Price on AM radio and that radio station did an outstanding job during the electric blackout that lasted about over a day. I will say that if the bill goes forward, then maybe we should also put in a way that motorists can announce the potholes to the Mayor of the City & County of Honolulu and the location of the potholes, and those would be publicized on the radio. And then we might find a way for those potholes to be repaired. Thank you."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. Comments have been offered suggesting that this bill is unnecessary. It has been suggested our citizenry has only to tune into the existing network of radio stations in order to be kept up-to-date on recent traffic developments. Mr. Speaker, I would like to begin by saying that to an extent this is true. Our State's radio stations have taken the initiative in providing current information at reliable times. Unfortunately, these reliable times occur only within the morning and evening rush hour traffic periods. This bill would create a dedicated AM radio station that would inform the public during off-peak hours of traffic accidents and potential delays.

"From a courtesy standpoint, our hardworking population that does not work in a traditional office setting can inform clients and colleagues of their current situation. In addition, in the case of a major accident or police investigation, motorists can take the initiative to avoid the affected area long before the inevitable bottleneck that occurs at the site of the accident.

"Mr. Speaker, information is usually the key to peace of mind. In this case, a comprehensive understanding of why traffic is at a

standstill may decrease feelings of frustration, and along these lines, the feeling of anger known as 'road rage.'

"Mr. Speaker, I would like to conclude by saying that this measure is vital for those coming from the Leeward side of the island. With only one route into town, traffic is often backed up miles and miles away from its cause. A dedicated traffic alert system could help motorists plan ahead, make informed decisions on which routes to take, and give peace of mind to those already in the gridlock. For these reasons, I would like to register my strong support for this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1972, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 488-08) recommending that H.B. No. 2250, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2250, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. 488-08, please register a vote with strong reservations for me."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2250, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 489-08) recommending that H.B. No. 2951, pass Second Reading and 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.B. No. 2951, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 490-08) recommending that H.B. No. 3004, pass Second Reading and 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.B. No. 3004, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 491-08) recommending that H.B. No. 2004, HD 1, 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.B. No. 2004, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 492-08) recommending that H.B. No. 3033, 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.B. No. 3033, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL INSPECTIONS," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 493-08) recommending that H.B. No. 2311, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2311, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 494-08) recommending that H.B. No. 2911, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2911, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 495-08) recommending that H.B. No. 2753, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2753, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I think I may have a potential conflict of interest on Standing Committee Report 495. I believe this could affect the Chairperson of the Department of Land & Natural Resources. In the event that it does, I would like to declare a conflict," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2753, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 496-08)

recommending that H.B. No. 2927, pass Second Reading and 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.B. No. 2927, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 497-08) recommending that H.B. No. 2348, as amended in HD 1, pass Second Reading and 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.B. No. 2348, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 498-08) recommending that H.B. No. 2755, as amended in HD 1, pass Second Reading and 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.B. No. 2755, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 499-08) recommending that H.B. No. 2964, as amended in HD 1, pass Second Reading and 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.B. No. 2964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 500-08) recommending that H.B. No. 2792, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2792, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Report No. 500, I ask for a ruling on a potential conflict of interest. My law firm that I work at is working on a class action on behalf of the substitute teachers, but I am not working on that. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. On Stand. Com. Report 500, I'd like to state a potential conflict. The proponents of the measure are currently in litigation with my law firm," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2792, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 501-08) recommending that H.B. No. 2775, HD 1, as amended in HD 2, 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.B. No. 2775, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EXECUTIVE OFFICE ON AGING," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 502-08) recommending that H.B. No. 3072, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3072, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3072, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION," was referred to the Committee on Finance with Representative Takai voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 503-08) recommending that H.B. No. 2910, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2910, entitled: "A BILL FOR AN ACT RELATING TO TRADE SECRETS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 504-08) recommending that H.B. No. 2583, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2583, HD 2, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations. This bill is to make public, proposed salaries and/or changes to the excluded employees in administrative positions at the University of Hawaii. A very similar bill was vetoed by Governor Lingle in the past. It is understandable that the University of Hawaii Professional Assembly would want this bill to pass. There were some legitimate concerns raised in their testimony, "In the past five years, the salaries paid to UH administrators have gone up astronomically. This began with the salary paid to then President Dobelle that was two and a half times more than that being paid to President Mortimer. President Dobelle then proceeded to make additional new administrative hires at salary levels that were unprecedented in the history of the UH, and also increased the salaries of continuing executive administrators commensurate with these new salaries."

"The downside to a bill like this one is this very process could affect recruitment and negotiations for the people in these positions. It is important that we have the tools to negotiate for the very best people at the best price. I believe that this bill deserves to move forward because of some of the practices that have been brought to light; however, I am unsure at this time whether or not the risk of recruiting the best and the brightest is worth taking."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2583, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 505-08) recommending that H.B. No. 3082, pass Second Reading and 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.B. No. 3082, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 506-08) recommending that H.B. No. 2672, as amended in HD 1, pass Second Reading and 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.B. No. 2672, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 507-08) recommending that H.B. No. 2710, as amended in HD 1, pass Second Reading and 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.B. No. 2710, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 508-08) recommending that H.B. No. 2848, as amended in HD 1, pass Second Reading and 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.B. No. 2848, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT EMPLOYEES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 509-08) recommending that H.B. No. 2974, as amended in HD 1, pass Second Reading and 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.B. No. 2974, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 510-08) recommending that H.B. No. 3144, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3144, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3144, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLAN," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 511-08) recommending that H.B. No. 2930, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2930, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations. Raising the minimum wage suggests that everyone, no matter what kind of performance level you are at, should get a raise. The Chamber of

Commerce testimony states that this bill will not improve the quality of life for the minimum wage earners and will actually hurt those who are seeking entry level jobs. Economists uniformly agree that most employees earn far more than minimum wage and that a minimum wage increase actually causes a reduction in the number of entry level jobs because of the increased cost to employers to maintain such jobs.

"The real cost to business includes all of the other employee benefits and taxes that are tied to the employees' wages. This kind of change could contribute to the slow down of our economy. I would hope that we would make positive steps toward improving the economy for all of the people of Hawaii by passing an economic stimulus package like the U.S. President and Congress did on the federal level with tax relief."

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

"Thank you, Mr. Speaker. I also am voting no on 511. At this point there is no adjustment to the tip credit. This was argued extensively the last go around when we raised the minimum wage. Again, there is no accommodation for that.

"I believe that we should do that most definitely because the wait help is getting the bulk of their pay from tips. As we keep raising the minimum wage, we aren't making any adjustment. I think we absolutely need to do that. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2930, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MINIMUM WAGE," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 512-08) recommending that H.B. No. 2520, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2520, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like to register a strong reservation on Stand. Com. Report No. 512 which is Temporarily Disability Insurance to be paid to caregivers. It doesn't seem that money is coming from the right place. It's not that they are disabled. It's just that they are taking care of someone who's ill. So I'm voting with reservation on that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2520, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 513-08) recommending that H.B. No. 3168, pass Second Reading and 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.B. No. 3168, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 514-08) recommending that H.B. No. 3166, as amended in HD 1, pass Second Reading and 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.B. No. 3166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 515-08) recommending that H.B. No. 3247, as amended in HD 1, pass Second Reading and 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.B. No. 3247, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 516-08) recommending that H.B. No. 3139, 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.B. No. 3139, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 517-08) recommending that H.B. No. 2368, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2368, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. No. 517, Relating to Education, I am voting with reservations because it's basically a good bill. It aligns our rules for standards for teachers with federal guidelines. It's good, but there is a 'poison' section, well in quotations, that knocks this out from being really good, in that it says that if you are an emergency teacher, we are going to cut you back from being able to teach on an emergency basis from four years down to three years.

"Mr. Speaker, do we not have a teacher shortage? Do we not have a crisis? To cut the emergency teachers back from four to three years just doesn't make any sense. So that's why I have reservations."

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

"I rise in support. Just for clarification, the only reason we have to change this is because we are conforming State law to the No Child

Left Behind law. The No Child Left Behind law requires that to be three years instead of four. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2368, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 518-08) recommending that H.B. No. 2272, as amended in HD 1, pass Second Reading and 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.B. No. 2272, HD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 519-08) recommending that H.B. No. 2481, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2481, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 520-08) recommending that H.B. No. 3083, as amended in HD 1, pass Second Reading and 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.B. No. 3083, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 521-08) recommending that H.B. No. 3142, as amended in HD 1, pass Second Reading and 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.B. No. 3142, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 522-08) recommending that H.B. No. 2479, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2479, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 523-08) recommending that H.B. No. 2387, as amended in HD 1, pass Second Reading and 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.B. No. 2387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 524-08) recommending that H.B. No. 2386, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2386, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2386, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 525-08) recommending that H.B. No. 2388, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2388, pass Second Reading and be

referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2388, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 526-08) recommending that H.B. No. 3030, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3030, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3030, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 527-08) recommending that H.B. No. 2859, as amended in HD 1, pass Second Reading and 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.B. No. 2859, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CERTIFICATE OF NEED," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 528-08) recommending that H.B. No. 2889, pass Second Reading and 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.B. No. 2889, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 529-08) recommending that H.B. No. 3058, pass Second Reading and 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.B. No. 3058, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 530-08) recommending that H.B. No. 2596, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2596, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 531-08) recommending that H.B. No. 2762, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2762, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 532-08) recommending that H.B. No. 2558, HD 1, as amended in HD 2, 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.B. No. 2558, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented two reports:

(Stand. Com. Rep. No. 533-08) recommending that H.B. No. 3176, as amended in HD 1, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 534-08) recommending that H.B. No. 3177, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.B. No. 3176, HD 1, be referred to the Committee on Finance; and that H.B. No. 3177, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on 533-08 and 534-08, I just have some brief comments in support. Right now the fine for these kinds of acts, of taking live coral rock, is $500. We have incidents where people are actually going to the beach and conservation districts and taking the

coral because it's cheaper to pay the fine than it is to go and buy the rocks in the market place.

"I applaud the Administration, and DLNR for finally getting aggressive and being able to attach the market damage to the violations, so that there's a true disincentive in trying to protect our natural resources. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused; and

H.B. No. 3177, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 535-08) recommending that H.B. No. 2383, as amended in HD 1, pass Second Reading and 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.B. No. 2383, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIRCUIT COURTS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 536-08) recommending that H.B. No. 3386, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3386, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I'd like to register a vote with strong reservation on Stand. Com. Report 536 on page 15."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3386, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 537-08) recommending that H.B. No. 2008, as amended in HD 1, pass Second Reading and 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.B. No. 2008, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 538-08) recommending that H.B. No. 2685, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2685, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. No. 538, if you could note my reservations and short comments please. I think we need to be looking for space for our prisons. But one of the testimonies that really rung true for me was that we are going through a reclassification system, and with that we are expected to have a lot of different changes in regards to how we house our prisoners. Therefore this is a little premature and maybe it would help to get that information back so that we can plan better. Thank you"

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

"Thank you, I rise in support. The briefing that we had available to the public and to Members was on the reclassification system, the money that has been spent, and what the consultants have found. It appears that we have somewhere between 25 and 35 percent of our inmates who could be community based or minimum security status.

"I think if you look at the bill, it is very clear that the message we are sending is OCCC was originally built to be community based. In fact it is now turned into minimum security, medium security and mental health. There is one building in particular for mental health, so it's now become a hodgepodge of different classifications. It's actually become pretty unmanageable by the Warden. It appears not to be the very safest facility. I would offer to any of my colleges to come with me to OCCC to take a tour of it so they could understand what's happened.

"If you haven't seen the federal Detention Center and how it is being used for anyone who has less than three years of their sentence to serve; the federal Detention Center is not meant to be a long term facility. It's for the short term. So this bill is moving towards community based, minimum security beds and doing that here in Oahu. And the way we wrote the bill is to look at urban Honolulu which is close to our courts system and also is convenient for transportation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 539-08) recommending that H.B. No. 2917, HD 1, 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.B. No. 2917, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 540-08) recommending that H.B. No. 2860, HD 1, as amended in HD 2, 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.B. No. 2860, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

At 12:42 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:43 o'clock p.m.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 541-08) recommending that H.B. No. 2541, pass Second Reading and 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.B. No. 2541, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HOSPITAL-BASED DENTISTRY SERVICES IN THE COUNTY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Manahan, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 542-08) recommending that H.B. No. 2913, pass Second Reading and 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.B. No. 2913, entitled: "A BILL FOR AN ACT RELATING TO KIDNEY DISEASE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 543-08) recommending that H.B. No. 2113, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2113, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in strong support of H.B. 2113, which provides a tax credit to taxpayer caregivers who care for qualified care recipients.

"Home and community-based care is becoming increasingly the preferred method of providing long-term care to the frail elderly and disabled who are unable to take care of themselves, partly because institutional care is so costly, but mostly because the elderly and disabled prefer to remain in their own homes. Such care, however, requires willing and able family caregivers who sacrifice much to provide care to their loved ones. Not only must they often forgo their own family's needs to care for another, some even experience financial sacrifice as they are forced to take paid or unpaid leaves of absence and even early retirement.

"By providing a tax credit, H.B. 2113 offers a small gesture to recognize the invaluable service provided by these caregivers. If not for their sacrifices, many more frail elderly and disabled persons would require nursing home care that eventually would cost taxpayers dearly in increased Medicaid and pass-through costs."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2113, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 544-08) recommending that H.B. No. 2170, HD 1, as amended in HD 2, pass Second Reading and 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.B. No. 2170, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 545-08) recommending that H.B. No. 2197, as amended in HD 1, pass Second Reading and 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.B. No. 2197, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 546-08) recommending that H.B. No. 2315, as amended in HD 1, pass Second Reading and 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.B. No. 2315, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 547-08) recommending that H.B. No. 2576, as amended in HD 1, pass Second Reading and 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.B. No. 2576, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

At 12:44 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:45 o'clock p.m.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 548-08) recommending that H.B. No. 2795, as amended in HD 1, pass Second Reading and 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.B. No. 2795, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 549-08) recommending that H.B. No. 2573, HD 1, 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.B. No. 2573, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS COMPENSATION," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 550-08) recommending that H.B. No. 2862, HD 1, 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.B. No. 2862, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 551-08) recommending that H.B. No. 2863, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2863, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"In strong support with brief comments. If we are going to get renewable energy going in this State we have got to remove the red tape and the other bureaucratic hurdles. So I'm glad to see this measure going through. Thank you."

Representative Ching rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support, with reservations. While I understand it is important to support alternative energy, the intent of H.B. 2863, I have concerns over the cost implications and impacts on Hawaii's regulatory authorities generated by this proposal. HB 2863 establishes a consolidated permit process for facilities that have the capacity to produce at least two hundred megawatts of electricity from renewable energy.

"Governor Lingle in her State of the State Address challenged all of us to move Hawaii away from oil dependence and to do so "more rapidly than some would like and others believe possible." As Castle & Cooke point out, ten years is too long to be mired in redundant permitting process, which currently does not have explicit timetables. However, DBEDT cautions that HB 2863 significantly revises Hawaii's regulatory system for the permitting of renewable energy projects. As such, it is imperative that stakeholder agencies identify and fully examine the affected permitting statutes and regulations to ensure adequate understanding of potential impacts of the changes prior to a decision to implement. While I stand in support, I hope that the concerns of DBEDT can be addressed in this measure's next Committee."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2863, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 552-08) recommending that H.B. No. 2965, HD 1, as amended in HD 2, 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.B. No. 2965, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 553-08) recommending that H.B. No. 2001, HD 1, as amended in HD 2, 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.B. No. 2001, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELEPHARMACY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 554-08) recommending that H.B. No. 1598, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1598, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1598, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTHCARE," was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 555-08) recommending that H.B. No. 3107, HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3107, HD 1, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm voting no on Stand. Com. No. 555. And I'd like to make brief comments. This bill mandates and penalizes owner-builders when they build, repair, extend or demolish their homes. It mandates owner-builders to use a licensed subcontractor. I see it as an encroachment of private ownership, and an invasion of homeowner's rights. And it circumvents the intent of the owner-builder permit process.

"With the owner-builder permitting process, Mr. Speaker, you are assigned a City and County staff member to come and inspect your building efforts on a weekly or monthly schedule, depending on what stage you are in. But the one that is troubling to me is that even with repair, and extension, and even demolishing their homes, you now have to hire licensed personnel to do it. A lot of our constituents are very talented people Mr. Speaker, who can employ their talents in plumbing or flooring or even demolishing their homes. The introduction of this bill will mandate them to hire a subcontractor when they themselves could build it themselves. So I think we should refrain from invading our people's rights. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3107, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS," was referred to the Committee on Judiciary with Representative Cabanilla voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 556-08) recommending that H.B. No. 2553, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2553, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in support of SCR 566, HB 2553: Relating to Pawn Brokers and Second Hand Dealers. The intent of this bill is to require pawnbrokers and second hand dealers to change daily record transaction methods from a manual system to an electronic method through the use of the Internet or a computer disk.

"Property crimes are steadily on the rise in Hawaii, and experts generally agree that drug use is the driving force behind the high property crime rate. This is because stolen property can be easily sold for money to support the perpetrators' drug habits.

"A change in the reporting system would certainly help law enforcement by increasing the speed by which information is transferred from pawnshops or second hand dealers to the police department. Police could then cross check stolen items lists to pawnshop or second hand dealers merchandise and give them time to inspect items before they are re-sold. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2553, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Tsuji and Herkes, for the Committee on Agriculture and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 557-08) recommending that H.B. No. 1988, as amended in HD 1, pass Second Reading and 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.B. No. 1988, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 558-08) recommending that H.B. No. 2261, as amended in HD 1, pass Second Reading and 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.B. No. 2261, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Tsuji and Souki, for the Committee on Agriculture and the Committee on Transportation presented a report (Stand. Com. Rep. No. 559-08) recommending that H.B. No. 2843, as amended in HD 1, pass Second Reading and 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.B. No. 2843, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 560-08) recommending that H.B. No. 2517, as amended in HD 1, pass Second Reading and be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2517, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Energy & Environmental Protection with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 561-08) recommending that H.B. No. 2977, as amended in HD 1, pass Second Reading and 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.B. No. 2977, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 562-08) recommending that H.B. No.

3425, as amended in HD 1, pass Second Reading and 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.B. No. 3425, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 563-08) recommending that H.B. No. 2083, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2083, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2083, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL PROCESSING FACILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 564-08) recommending that H.B. No. 3301, pass Second Reading and 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.B. No. 3301, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 565-08) recommending that H.B. No. 3175, pass Second Reading and 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.B. No. 3175, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 566-08) recommending that H.B. No. 2527, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2527, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I am voting with reservations. The motivation behind Smart Growth tactics is to employ a scheme that penalizes the motoring public. To lessen vehicle parking spaces in favor of preserving open spaces; to make driving a car as cumbersome as possible; to price out the masses from owning a car with exorbitant registration and fuel fees; to have car owners forfeit their cars by not building more roads making their commute a living nightmare and be manipulated into taking mass transit, are just a few of the ploys being disguised as Smart Growth when in fact such practice is a form of harmful growth.

"Smart Growth is harmful in terms of serving the economy. A successful, vibrant economy is dependent upon how efficiently it permits the flow of getting freight, goods and services besides people and their tools of the trade from point A to point B. Trails and greenway belts do not facilitate these ends. Oahu needs a route for another expressway, not for Smart Growth tactics that preserve open spaces for the ants, termites and weeds to thrive. Smart Growth philosophy is anti-car, anti-home with a yard, and can be compared to a movement that likens humans to live like hamsters in a cage. These high density developments associated with Smart Growth tactics are designed to cram humans into small confines and territory while the insects and weeds are given an enormous amount of land in which to perpetuate.

"I am voting with reservations because Hawaii needs to build more roads and lessen the motoring public's plight in traffic. We have a landscape lane deficient in the number of lane miles it offers its people. On the other hand, we have countless paths, trails and greenway belts. We are not hurting for more trails. We are hurting for more roads. This bill does not help the motorists, but rather competes with the needs of the motoring public and that is why the bill is flawed. The preservation of land to accommodate more roadway lane miles for the future is what this bill should be about. And if any right of ways, routes, or paths should be preserved, it should be for roads and HB3004 does that. This bill, HB3004, should take precedence over HB2527 and until such time it does, our priorities are skewed in the wrong direction."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2527, entitled: "A BILL FOR AN ACT RELATING TO SMART GROWTH," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 567-08) recommending that H.B. No. 2687, as amended in HD 1, pass Second Reading and 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.B. No. 2687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 568-08) recommending that H.B. No. 2704, as amended in HD 1, pass Second Reading and 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.B. No. 2704, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 569-08) recommending that H.B. No. 2332, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2332, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 570-08) recommending that H.B. No. 3286, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3286, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I am in support of SCR 570, HB 3286: Relating to Mining. The bill amends Chapter 205 to allow for mining of sand, rock, gravel and other materials suitable for use and used in construction, and activities ancillary to mining, including processing and storage, within the agricultural districts as a permitted use.

"Rock is vital to our economy because it is an essential component of two basic building materials: concrete and asphalt. All of the islands do not presently have enough operating quarries to meet current demand for basalt aggregate. If we cannot meet the demand from local quarries, we would need to import rock and the cost of that will be two to four times the present cost.

"Therefore, it is essential that we find new means to develop new quarries to meet the local demand and eliminate the need to import rock. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3286, entitled: "A BILL FOR AN ACT RELATING TO MINING," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 571-08) recommending that H.B. No. 2606, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2606, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2606, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 572-08) recommending that H.B. No. 3374, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3374, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure. This measure addresses the oftentimes striking disparity between the State's vision for land use and the county's plan for development. Our job as State lawmakers is to develop policy that is comprehensive and inclusive. It is in our best interests as citizens and lawmakers to collect as much information as humanly possible to make informed, intelligent decisions. I submit that in some instances, no matter how much information we have, we lack the subtle, sometimes imperceptible details that bare facts do not provide. We sometimes do not allow for a sense of history that will help us make these broad, sweeping policy decisions appropriately.

"Land use has statewide impact. As such, it behooves us to produce living policy documents that give a general outline for our vision of its use. To focus our vision, counties develop their general plans to incorporate their intimate knowledge of these areas. The problem is they have to come back to the State to get their plans approved. These plans are already subject to the public hearing process, and these meetings occur with the sector of the public that these plans affect the most.

"Twenty-two years after the enactment of Chapter 205, HRS, the Legislature revisited the land use process. Realizing that counties and small landowners should have a say in the use of their own lands, a process was put in place to expedite petitions requesting reclassification of lands. The Land Use Commission was given the authority to waive petitions pertaining to small parcels fifteen acres and under, and to give such authority to the counties. The intent of this review of land law was to allow counties the ability to carry out development, as this is a function of the counties, and to improve the efficiency of the process. This process also lifted the burden of small parcel decisions from the extremely busy LUC. As we move forward, the Legislature, the public, and the business communities are beginning to realize that a limited amount of land necessitates much larger scale development decisions. It has been twenty-three years since our last review, and this measure will update our laws to effectuate the intent of that 1985 review.

"This measure seeks to expedite the counties' responsibilities to use their lands for the public good in changing economic climates. County general plans are still subject to the public hearing process for approval. By providing an exemption from what is essentially duplicative in the petition process, reclassification can occur in areas where certain economic opportunities such as sugar are no longer feasible. Specific proposed projects are still subject to permitting, and will remain under the watchful eye of the public. I therefore ask you, my colleagues, for your support on this measure. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, on Stand. Com. Report No. 572-08, I am in support. May I have the written comments of the Representative from Kapolei entered into the record as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3374, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 573-08) recommending that H.B. No. 3179, pass Second Reading and 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.B. No. 3179, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 574-08) recommending that H.B. No. 3211, as amended in HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3211, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

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

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

Representative 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 the report of the Committee was adopted and H.B. No. 3211, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CLOTHESLINES," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 575-08) recommending that H.B. No. 2797, pass Second Reading and 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.B. No. 2797, entitled: "A BILL FOR AN ACT RELATING TO THE KALOKO HOUSING PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 576-08) recommending that H.B. No. 2662, as amended in HD 1, pass Second Reading and 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.B. No. 2662, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 577-08) recommending that H.B. No. 2666, as amended in HD 1, pass Second Reading and 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.B. No. 2666, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AFFORDABLE RENTAL HOUSING DONATION TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 578-08) recommending that H.B. No. 2897, as amended in HD 1, pass Second Reading and 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.B. No. 2897, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSET BUILDING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 579-08) recommending that H.B. No. 2904, as amended in HD 1, pass Second Reading and 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.B. No. 2904, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE DEVELOPMENT REVOLVING FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 580-08) recommending that H.B. No. 2707, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2707, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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 the report of the Committee was adopted and H.B. No. 2707, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 581-08) recommending that H.B. No. 2708, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2708, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 582-08) recommending that H.B. No. 3362, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3362, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 583-08) recommending that H.B. No. 3372, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3372, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SERIOUS OFFENSES COMMITTED BY MINORS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 584-08) recommending that H.B. No. 2380, pass Second Reading and 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.B. No. 2380, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 585-08) recommending that H.B. No. 2551, pass Second Reading and 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.B. No. 2551, entitled: "A BILL FOR AN ACT RELATING TO HOMELESSNESS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 586-08) recommending that H.B. No. 3059, pass Second Reading and 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.B. No. 3059, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 587-08) recommending that H.B. No. 2668, as amended in HD 1, pass Second Reading and 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.B. No. 2668, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 588-08) recommending that H.B. No. 2990, as amended in HD 1, pass Second Reading and 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.B. No. 2990, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 589-08) recommending that H.B. No. 3401, as amended in HD 1, pass Second Reading and 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.B. No. 3401, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 590-08) recommending that H.B. No. 3403, as amended in HD 1, pass Second Reading and 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.B. No. 3403, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 591-08) recommending that H.B. No. 3229, as amended in HD 1, pass Second Reading and 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.B. No. 3229, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN SERVICES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 592-08) recommending that H.B. No. 3275, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3275, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 593-08) recommending that H.B. No. 2543, pass Second Reading and 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.B. No. 2543, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHOOTING RANGE IN WEST HAWAII ON THE ISLAND OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 594-08) recommending that H.B. No. 2271, pass Second Reading and 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.B. No. 2271, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 595-08) recommending that H.B. No. 2159, pass Second Reading and 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.B. No. 2159, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 596-08) recommending that H.B. No. 3213, pass Second Reading and 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.B. No. 3213, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 597-08) recommending that H.B. No. 2504, as amended in HD 1, pass Second Reading and 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.B. No. 2504, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 598-08) recommending that H.B. No. 2505, as amended in HD 1, pass Second Reading and 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.B. No. 2505, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 599-08) recommending that H.B. No. 2552, as amended in HD 1, pass Second Reading and 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.B. No. 2552, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 600-08) recommending that H.B. No. 2501, HD 1, 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.B. No. 2501, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 601-08) recommending that H.B. No. 3150, HD 1, as amended in HD 2, 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.B. No. 3150, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 602-08) recommending that H.B. No. 2503, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2503, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 603-08) recommending that H.B. No. 3001, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3001, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against noise. Mr. Speaker, this is Stand. Com. Report No. 603. Mr. Speaker, the testifier that spoke against this said it's going to pit neighbor against neighbor, and it's going to be particularly hard for pet owners. I understand that it's noisy in the Downtown corridor, but this bill would apply broadly, not just in the Downtown area. I think it could cause a lot of difficulties, a lot of lawsuits, and I don't believe it is good policy. Thank you."

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

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

"In support of Stand. Com. Report 603, Mr. Speaker. I just want to say that I think it's too late with regards to neighbors being pitted against neighbors. Those who make noise and keep others awake at night have already pitted neighbors against neighbors. Mahalo."

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

"Mr. Speaker, with reservations with a few comments. Being one that lives in Waikiki during the Session, I want you to know that there is noise all night long. I guess my reservation is that this is going to be very hard for the police department to enforce. So I just want to vote with reservations."

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

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

"Mr. Speaker, in support. Prior to being in office, I was an eight-year member of the Waikiki Neighborhood Board. I think the Legislature needs to send a message that we're serious about noise enforcement. I think that the police do an outstanding job, but could do a better job in this area. It's very important to get the ball rolling on this. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3001, entitled: "A BILL FOR AN ACT RELATING TO NOISE," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 604-08) recommending that H.B. No. 2550, as amended in HD 1, pass Second Reading and 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.B. No. 2550, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 605-08) recommending that H.B. No. 2017, pass Second Reading and 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.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 606-08) recommending that H.B. No. 2813, as amended in HD 1, pass Second Reading and 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.B. No. 2813, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 607-08) recommending that H.B. No. 2539, pass Second Reading and 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.B. No. 2539, entitled: "A BILL FOR AN ACT RELATING TO WORKPLACE TRAINING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

At 1:05 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:07 o'clock p.m. with Vice Speaker Chong presiding.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 608-08) recommending that H.B. No. 2988, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2988, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on SCR 608-08, I've been ask to request a ruling on a potential conflict. I am a member of the Hawaii National Guard, and I'd like this ruling to be on this day, as well as any other day, as well as any other Committee hearings."

Vice Speaker Chong: "So ordered."

At 1:18 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:19 o'clock p.m.

At this time, the Chair announced:

"Going back to the prior request by Representative Takai on the request for a ruling on a potential conflict. The Chair misstated. I should have said, 'no conflict' instead of 'so ordered'.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2988, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 609-08) recommending that H.B. No. 2963, pass Second Reading and 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.B. No. 2963, entitled: "A BILL FOR AN ACT RELATING TO NATURAL DISASTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 610-08) recommending that H.B. No. 1989, as amended in HD 1, pass Second Reading and 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.B. No. 1989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 611-08) recommending that H.B. No. 2530, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2530, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Shimabukuro, for the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 612-08) recommending that H.B. No. 2764, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2764, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations. This bill establishes a Bill of Rights for children of incarcerated parents. I believe in the goals that this bill sets to achieve. In a litigious society such as ours, this bill could come with a belated and huge price tag. The threats of such liabilities need to be remedied because the money spent on lawsuits and awards should be going to services for children.

"The language in this bill gives children of incarcerated parents the right to be "heard", "considered", "well cared for", and "supported". As a non-incarcerated parent, I come across times my children do not feel heard, considered, or supported. It is difficult to have a Bill of Rights for minor children. Sometimes it takes a long time before they understand that the decisions made on their behalf were in their best interest. It would be irresponsible to the taxpayers of Hawaii and these children to pass a bill that exposes us to such lawsuits.

"I want the very best for Hawaii's children. This bill needs work."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2764, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Shimabukuro, for the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 613-08) recommending that H.B. No. 2763, pass Second Reading and 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.B. No. 2763, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 614-08) recommending that H.B. No. 2066, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2066, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2066, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 615-08) recommending that H.B. No. 2790, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2790, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. Please cast a no vote for me on Stand. Com. No. 615 with some comments. Mr. Speaker, this bill is an opportunity to acknowledge, reward and help recruit Adult

Corrections Officers and Youth Correction Officers by enhancing their retirement benefits. This is something I want to support, but the other side of the coin is this.

"Last year the Legislature passed a law to establish a policy framework to enable the Employees' Retirements System to eventually eliminate this $5.1 billion unfunded liability. This body put a three year moratorium on retirement benefit enhancement including any reduction of retirement age when there is an unfunded accrued liability. A $4.1 billion unfunded liability threatens retirement benefits for future retirees who we have already made retirement benefit promises to. We cannot continue to make promises without fulfilling the ones we have already made. The Finance Chair and you, Mr. Speaker, have periodically warned us about the Governmental Accounting Standards Boards, the GASB requirements. Thanks to the hard work of our leadership, healthy interest earrings and the State & county employers, what was once a 43 year estimated time to become fully funded is now reduced to approximately 25 years. That's very good.

"So what will this look like in dollar terms? State and county employer's contributions are currently $489 million for this fiscal year. Starting June this year it will be increased by $72 million per year thus totaling $561 million. This is a substantial increase in future expenditures. I believe that this group of workers deserves enhanced retirement benefits, but the moratorium was set in law for a reason. Disregarding it would be schizophrenic and not fiscally responsible to taxpayers or future retirees.

"Past Legislatures have made conscious choices to put our retirement system in disrepair like our school buildings and University facilities. Let's keep out promise to our State and county workers. Look around you and look around the State departments. These workers deserve to have the security of the retirement benefits that they have already been promised. Thank you, Mr. Speaker."

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

"On that same measure, I vote with reservations. May I have the comments of the previous speaker put into the Journal as if they were my own? And brief additional comments. I also share the opinion of the Attorney General. I believe this bill is unconstitutional due to the defective title. Thank you."

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

"Thank you, Mr. Speaker. I am in strong support. As the Chair of Public Safety & Military Affairs, I felt it was important to have our Committee focus on the subject matter. In terms of the financing, I hope the Chair of Finance really looks at that issue. What we were talking about was that should we be even considering enhancing retirement for the officers. I believe, based on what the responsibilities are and the kinds of stress that they have, that it's worth us considering it.

"Regarding the moratorium, I don't think it's schizophrenic. In fact the moratorium was only for three years. If you heard the testimony from the Director of the Employees' Retirement System you would think we wouldn't give anybody retirement enhancements for 25 years because he said we have an unfunded liability for 25 years out in the future. So at some point in time, if we really want to deal with an unfunded liability issue, let's introduce a bill, address that issue and move it forward because we've got all these State employees and especially our public safety officers that have a lot of responsibility and they protect us.

"I think that could be a separate issue, this unfunded liability. I want Finance to, if they chose not to hear the bill because of that argument then that's fine. But I think the public safety officers, and in our Subject Matter Committee, I think it's very worthy of looking in and promoting the discussion of that, of their retirement benefits. Thank you."

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

"Thank you, Mr. Speaker. I'd like to register a no vote on 615. I think after we've shorted the retirement Fund for quite a number of years, and we have this large unfunded liability, we have to take this seriously. Every year we've got some reason to want to enhance someone's retirement, or make it so we don't have to work as long. Recent articles have shown that our public workers are in many cases getting paid better than people are in the private sector. And I don't think there is any argument that they have benefits far exceeding anything that the private sector is giving their employees.

"So the question is how much can the taxpayers afford with collective bargaining, we have set up now where we've got rid of the right to strike, and it's arbitrary. Every time the contract comes up, the wage is going to go up. That's why our public workers are getting paid very reasonably. So I think we have a responsibility to make sure that our Retirement Fund doesn't get depleted. Every time you have an enhanced situation like this bill is calling for it's going to cause a shortage in that Fund. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2790, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT CORRECTIONS OFFICERS AND YOUTH CORRECTIONS OFFICERS," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan and Meyer voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans, Morita and Green, for the Committee on Public Safety & Military Affairs and the Committee on Energy & Environmental Protection and the Committee on Health presented a report (Stand. Com. Rep. No. 616-08) recommending that H.B. No. 2076, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2076, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. No. 616, Relating to Depleted Uranium, with reservations and a brief comment. Mr. Speaker, this body, our body, our minds are supposed to be the center of objectivity, center of reason, calm and I guess, not fear mongering and spooking the people of Hawaii.

"Over 50 years ago, these Davy Crockett weapons used this uranium. Some of the best minds have said that it's like trying to find a 'needle in the haystack' after the fact. With the ways and methodology in the ways and the amount of the resources it would take to really do it properly, it kind of puts us on a wild goose chase. In the meantime, there are people panicking the community, or at least by some of the emails I get. They are really spooked by this kind of stuff.

"And, I know some of it has come out of some parts of the community, and some parties who feel very strongly about this. And it's a platform issue for some. But I think we have to be a bit more calm and a bit more collected about how we deal with these very volatile topics. We've got to find out if there is uranium. We've got to handle those who may have been exposed. But I think we have to be

sober and sensitive to the implications as to what we do as a body in this directions. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2076, entitled: "A BILL FOR AN ACT RELATING TO DEPLETED URANIUM," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 617-08) recommending that H.B. No. 2050, pass Second Reading and 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.B. No. 2050, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 618-08) recommending that H.B. No. 3140, pass Second Reading and 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.B. No. 3140, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 619-08) recommending that H.B. No. 2468, as amended in HD 1, pass Second Reading and 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.B. No. 2468, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 620-08) recommending that H.B. No. 2511, as amended in HD 1, pass Second Reading and 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.B. No. 2511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 621-08) recommending that H.B. No. 2665, as amended in HD 1, pass Second Reading and 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.B. No. 2665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 622-08) recommending that H.B. No. 3399, as amended in HD 1, pass Second Reading and 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.B. No. 3399, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 346, HAWAII REVISED STATUTES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 623-08) recommending that H.B. No. 3400, as amended in HD 1, pass Second Reading and 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.B. No. 3400, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 624-08) recommending that H.B. No. 3427, as amended in HD 1, pass Second Reading and 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.B. No. 3427, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 625-08) recommending that H.B. No. 2492, pass Second Reading and 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.B. No. 2492, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 626-08) recommending that H.B. No. 2598, as amended in HD 1, pass Second Reading and 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.B. No. 2598, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 627-08) recommending that H.B. No. 2376, pass Second Reading and 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.B. No. 2376, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 628-08) recommending that H.B. No. 2664, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2664, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Report 628-08 please, in opposition. Thank you, Mr. Speaker. This is in regards to the emergency powers of the Governor. Without going into a long speech, basically the Governor's emergency powers are there for a reason. No matter how you try to carve it out or want to have control over what she has control over, we won't make it safe for the people of Hawaii by doing that. We are basically just handcuffing her hands in responding to emergency situations.

"There are many examples that were shared with us in Committee in regards to things that would have not been helped regarding the floods, earthquakes and other natural disasters. So if you take a look at some of the testimony dealing with or were severely impacted by the spring floods of 2006, or the October 15, 2006 Kiholo earthquake. If the Governor had not had the authority to take swift and decisive action the negative impact to agriculture would have been much greater.

"There are all kinds of different types of situations like that. So Mr. Speaker, I'm speaking in opposition to this and I hope we reconsider this 'handcuffing the Governor' bill."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am in opposition to House Bill 2664 that would limit the Governor's authority to call an emergency in this State.

"This bill would put our citizens at risk by limiting when the head of state can proclaim a state of emergency. Under this bill, the Governor cannot call an emergency without meeting certain criteria determined not by those experienced in emergency situations, but by this Legislature which is only in session four months a year and clearly wants to limit the Governor's Executive powers.

"In an emergency, the Governor must have the ability to immediately take action and deploy resources that in her mind, and with the advice of experts, comprises the best, safest, and most effective means to address the problems created by a disaster. The existing law does not require the Governor to wait until the public is harmed, but under this bill, the Governor would be legally prohibited from providing any disaster relief or taking pre-emptive actions, including the issuing of a pre-landfall declaration in the face of a hurricane or *tsunami* threat.

"Requiring strict criteria on when the Governor is able to proclaim a state of emergency is not efficient or realistic. For example, in 2005 heavy rains and flooding created severe damage and landslides in my district. The Governor was able to work with DLNR and Civil Defense to take immediate action to mitigate additional damages. Just a few months ago, there were several areas along Makiki Stream and ditch near Keeaumoku/Wilder Streets and Nehoa Street that sustained storm damage. With this bill, these projects would not be able to get needed funding because they do not meet the criteria for the Governor to proclaim a state of emergency.

"Finally, the Department of Agriculture testified in the Public Safety Committee that if the Governor had not had the authority to take swift and decisive action after the October 15, 2006 earthquake, the impact to our State's agriculture industry would have been much greater than what was initially reported.

"I urge this Legislature to vote no on this bill and not to let partisan politics put our citizens in danger. Thank you."

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

"Thank you, Mr. Speaker. I would like a strong no vote on that, too, for the safety of our residents."

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

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

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

"I'd like to vote with reservations on 628-08, Relating to Disaster Relief. I believe we need to have some flexibility in that particular area. Thank you, very much."

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

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

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

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

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

"Yes, I'm rising in support. I think it's important that we move this bill forward for further discussion. We want to make sure that when the Governor exercises emergency powers, that if you look at the Standing Committee Report, if they can show that it's of harm and damage. I believe this bill that was introduced may have come about out of concerns that maybe emergency powers are becoming a very gray area in what you define 'emergency' as, and what do you define as not an emergency. So I think moving this forward and keeping the discussion alive is very important. We've got a ways to go on this. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you. Still in opposition, Mr. Speaker. Just a brief comment. Basically, it is very difficult to put words to try and craft some kind of language as to when the Governor can use her Executive power or

declare or exercise emergency powers. And what brings to mind for me is the day I when I was at home and my dad basically fell on the floor. He backed up and fell on the floor. His eyes were open, but he had a stunned look on his face and he wasn't responding. And so I looked at him and I basically called 911. That's what you do when you see someone like that.

"He fell pretty hard. It looked like it was going to cause harm or damage. I cannot see someone telling me that before you call 911, why don't you call a neighbor and see if they see the same thing, too. Or why don't you do some checks and balances before you exercise this ability to go and call 911? Emergency is emergency.

"Now I'm sure that she just doesn't pick up the phone and say, 'Okay we're going to call this an emergency.' That's what is wrong with this bill. You don't allow the flexibility and freedom for the Governor to act in a quick manner. No matter how you try to do that, that's part of what the Executive powers entail. That's part of the Executive powers.

"So I hope we don't move forward in this manner because I don't think it is safe for our State. Thank you."

Representative Souki rose to respond, stating:

"Thank you, very much. In rebuttal to my good friend, the Chair from Waikaloa. This item should not be a partisan item. When there is an emergency, that power should go to one person. If there is an emergency after the 2008 Session, who is going to be able to make the call and coordinate the efforts to resolve this problem?

"So I believe this bill will take a little more work. It's a work in progress I'm sure. So as it moves along, let's make the correct changes. Our first responsibility is to protect the people of the State of Hawaii. When you take the emergency power away from a person who can protect the people, I believe it is essentially wrong. Thank you, very much."

Representative Evans rose to respond, stating:

"Thank you. I just want to make some further comments that the example of someone falling down and calling an ambulance is, that is one example. But I want to also give you another scenario. And that is if someone has a cold and they are not feeling well and they show up at our emergency rooms. I think that if you go to some of our hospitals, what you will find is, if it's not a true emergency, they take them and sit them in a chair, and they send a nurse to work with them. But they have the ability to make a decision when they walk in that room and say, 'You go over there and we'll get a nurse over there', whatever. But here, if you're having a heart attack, asthma attack, we need to get you help right away. So there is discernment. There is decision making.

"My whole point about this bill in supporting it moving forward is just to have this discussion. I don't think it's partisan. People may want to turn it into partisanship, but I think it's like, what is it? Because if you, if the Governor uses her emergency powers, there's a lot of things that change in terms of our laws and what can and can't be done when you reach that point. I don't want to keep our Governor from being able to make that decision. But I think that it doesn't hurt to have that discussion about criteria, and what is discernment in terms of what is an emergency. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I'm still in strong opposition, but I would like to request that the remarks from the Speaker Emeritus from Maui be entered into the Journal as if they were my own, with the exception of the portion where he talks about it being a work in progress and moving it along. I instead would like to say that I hope the Finance Committee would not give this bill a hearing. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2664, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Meyer and Thielen voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 629-08) recommending that H.B. No. 2857, as amended in HD 1, pass Second Reading and 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.B. No. 2857, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 630-08) recommending that H.B. No. 2849, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2849, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In regards to 630-08 on page 30, if you could note my no vote and allow me written comments. The written comments will reflect the same comments I had on a similar bill earlier."

Representative Finnegan's written remarks are as follows:

"This bill is an opportunity to acknowledge, reward, and help recruit police dispatchers by enhancing their retirement benefits. This is something that I want to support, but the other side of the coin is this.

"Last year, the Legislature passed a law to establish a policy framework to enable the Employees' Retirement System to eventually eliminate its $5.1 billion unfunded liability. This body put a three year moratorium on retirement benefit enhancements including any reduction of retirement age when there is an unfunded accrued liability. A $5.1 billion unfunded liability threatens the retirement benefits for future retirees whom we have already made retirement benefit promises to. We cannot continue to make promises without fulfilling the ones we have already made.

"The Finance Chair and Speaker periodically warn us about the Governmental Accounting Standards Board (GASB) requirements. Thanks to the hard work of our leadership, healthy interest earnings, and the State and county employers, what once was a 43 year estimated time to become fully funded, is now reduced to approximately 25 years.

"So what will this look like in dollar terms? State and county employers' contributions are currently $489 million for this fiscal year. Starting June of this year it will be increased by $72 million per year thus totaling $561 million. This is a substantial increase in future expenditures.

"I believe that these groups of workers deserve enhanced retirement benefits, but the moratorium was set in law for a reason. Disregarding it is schizophrenic and not fiscally responsible to taxpayers and future retirees.

"Past legislatures have made conscious choices to put our retirement system into disrepair like our school buildings and University facilities. Let's keep our promise to our State and county workers. Look around you, look around the State departments, these hard workers deserve to have the security of the retirement benefits that they have already been promised."

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

"Thank you, Mr. Speaker. I also want to register a no vote on Stand. Com. No. 630. This is the same problem where we are going to change the law and have a group of people receive an enhanced retirement by being able to retire at 25 years rather than 30 without having put in; where they were not in a contributory plan. You have all the problems where those who already retired after the law passes in one year. If we pass the law, they'd all have to decide that they were going into the contributory program. But some will have just one or two years and it's just going to short the Retirement Fund. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2849, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ALLOWANCE ON SERVICE RETIREMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan and Meyer voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 631-08) recommending that H.B. No. 2919, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Transportation and the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2919, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Second Reading and was referred jointly to the Committee on Transportation and the Committee on Tourism & Culture with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 632-08) recommending that H.B. No. 3444, as amended in HD 1, pass Second Reading and 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.B. No. 3444, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Morita, Ito and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 633-08) recommending that H.B. No. 3410, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3410, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Report 633-08, biodiesel market stimulation, please cast a vote with serious reservations for me."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3410, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 634-08) recommending that H.B. No. 1895, as amended in HD 1, pass Second Reading and 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.B. No. 1895, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIAN CHILDREN," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 635-08) recommending that H.B. No. 2686, as amended in HD 1, pass Second Reading and 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.B. No. 2686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 636-08) recommending that H.B. No. 3016, HD 1, as amended in HD 2, 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.B. No. 3016, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 637-08) recommending that H.B. No. 2823, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2823, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'm rising to request to have a no vote cast for me on Stand. Com. Report 637 which is capping the liability of dam and reservoirs owners. That's House Bill 2823. I would like a no vote."

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2823, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 638-08) recommending that H.B. No. 2914, as amended in HD 1, 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.B. No. 2914, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITIES," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 639-08) recommending that H.B. No. 2567, HD 1, as amended in HD 2, 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.B. No. 2567, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER PREPAREDNESS," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 640-08) recommending that H.B. No. 3019, as amended in HD 1, pass Second Reading and 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.B. No. 3019, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 641-08) recommending that H.B. No. 2434, HD 1, as amended in HD 2, 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.B. No. 2434, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 642-08) recommending that H.B. No. 2302, HD 1, 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.B. No. 2302, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 643-08) recommending that H.B. No. 2438, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2438, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Report 643-08, in support. A significant number of states have already adopted fire-safe cigarette legislation. In fact, it was one of the most successful measures passed by state Legislatures in 2007. Fire-safe cigarettes is a statewide issue as it relates to the safety to our smokers and non-smokers. This measure, House Bill 2438, HD 1 will save lives and prevent property damage. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2438, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 644-08) recommending that H.B. No. 3085, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3085, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. No. 644-08, I am voting with reservations. I'd like to point out that this is increasing penalties on white collar crime and they are adding the Class C felony penalty for intentional false filings. As Chair of Public Safety, there is no financial impact analysis on how this impacts the Department of Public Safety. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3085, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 645-08) recommending that H.B. No. 3172, pass Second Reading and 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.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC FILINGS IN THE BUREAU OF CONVEYANCES AND THE OFFICE OF THE ASSISTANT REGISTRAR," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 646-08) recommending that H.B. No. 3098, as amended in HD 1, pass Second Reading and 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.B. No. 3098, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 647-08) recommending that H.B. No. 3331, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3331, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like a ruling on a potential conflict please. On Stand. Com. Report No. 647-08, I represent numerous condominium associations. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3331, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 648-08) recommending that H.B. No. 2291, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2291, HD 2, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

Representative Ward rose, stating:

"Mr. Speaker, on Stand. Com. Report 648, Relating to Health Insurance, the universal healthcare bill. May I cast a no vote and give a few remarks? Mr. Speaker, this bill establishes the State Health Authority to provide medical assistance for all citizens of Hawaii."

At 1:22 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 1:23 o'clock p.m.

Representative Ward then rose, stating:

"Mr. Speaker, I stand corrected and I shall sit down in favor of the new bill which was inserted inside of it. Thank you."

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

"On Stand. Com. Report 648, I am voting with reservations and I have a few comments. What happened in Committee is we, and I think it was great that we asked HMA to come in and give us a comprehensive look at how to deal with tort reform and the issue of position, retention and recruitment. I really like the fact that they did this.

"It's just not enough time to really look at the details. I'm looking forward to the next Committee getting really into the details of this and the impacts."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2291, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," was referred to the Committee on Judiciary with Representative Rhoads voting no, and, with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 649-08) recommending that H.B. No. 1992, HD 1, as amended in HD 2, be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1992, HD 2, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1992, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL LIABILITY," was referred to the Committee on Judiciary with Representative Rhoads voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 650-08) recommending that H.B. No. 2242, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2242, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"The homeless crisis and desperate need for affordable housing in Hawaii has received national attention.

"With the price of housing continuing to climb, cities and counties throughout the Nation are establishing inclusionary programs to help provide for the needs of fixed and lower income residents who live or work in their communities.

"Inclusionary Zoning is a zoning ordinance or land use policy which either mandates or encourages developers of housing to include a specified percentage of housing that is affordable to lower and/or moderate income households to insure that an adequate supply

of housing for residents of all income levels is provided for the maintenance of a balanced community.

"This bill only enables, not requires, counties to impose inclusionary zoning at the subdivision and permitting stages of development. It was suggested to me by the Kauai County housing department, and was supported by the Hawaii County housing department and Chuck Wathen. Mr. Wathen is a private developer who heads the nonprofit Housing Hawaii. Housing Hawaii is a consortium of private and nonprofit entities focused on increasing affordable housing in Hawaii. Mr. Wathen was acting as an individual in support of this measure, and provided me with a large volume of research supportive of inclusionary zoning. I will be citing much of the research Mr. Wathen provided me in these remarks.

"The bill was opposed by many in the private development community, who cited constitutional "takings" concerns, among other things. I wish to focus my remarks in response to these concerns.

"The authority for local governments to adopt zoning ordinances and other land use policies and regulations such as inclusionary zoning is the "police power." This power emanates from the Tenth Amendment to the United States Constitution, which reserved to the states their inherent powers. The police power entitles communities to take actions and adopt laws and policies that protect the public's health, safety and welfare. *See Euclid v. Amber Realty Company*, 272 U.S. 365 (1926).

"Hawaii's counties have the authority to establish inclusionary zoning programs under HRS Section 46-4 (a), which states "The powers granted herein shall be liberally construed in favor of the county exercising them."

"Hawaii would be wise to follow the example set by California, which has very successfully implemented inclusionary zoning, and seen a dramatic improvement in the availability of affordable housing. The California Housing Element Manual, written by the California Affordable Housing Law Project of the Public Interest Law Project, was recently updated in February 2007. The Manual states:

"The California Constitution expressly authorizes cities and counties to exercise the police power, providing that either "may make and enforce within its limits all local, police, sanitary, and other ordinances or regulations not in conflict with the general laws." California Constitution, Article XI, section 7. Even before *Euclid*, the California Supreme Court found that local governments could legitimately employ their police powers to protect the general welfare by enacting zoning ordinances creating residential zones reserved for single-family housing. *Miller v. Board of Public Works*, 195 Cal. 477 (1925).

Over the years, the courts have held the police power to be quite broad, especially in the context of local land use law. It has been deemed "elastic," expanding to meet ever changing conditions of the modern world. *See Euclid* at 387, *Agins v. City of Tiburon*, 447 U.S. 255, 260-63 (1980). The depth and elasticity of the police power provide local governments with broad discretion to determine use and development of the finite supply of land within their borders. Any controls or regulations that are not unreasonable and bear some relationship to the general welfare of the community are permissible unless proscribed by preemptive state or federal laws or by the federal or California constitutions. Inherent in the police power, then, is the power to exclude or condition development. California Housing Element Manual, 2nd Edition [Feb. 2007]–*Chapter I* 8

The exclusionary aspect of the power has manifested itself over the years in the form of policies and practices that have excluded affordable housing. "Exclusionary zoning" as it came to be called further exacerbated patterns of racial and economic segregation and contributed to a substantial regional imbalance between the location of jobs and housing. Fortunately, the power of local government to exclude affordable housing has been circumscribed somewhat in recent years by judicial and statutory limitations. State courts have taken the lead in the constitutional realm, with the New Jersey Supreme Court holding that the New Jersey Constitution obligated local governments to use their land use powers to affirmatively plan for and make available the reasonable opportunity for low and moderate cost housing to meet the needs of people desiring to live within the community. *See Southern Burlington County N.A.A.C.P. v. Township of Mount Laurel*, 336 A.2d 713, *appeal dismissed and cert. denied*, 423 U.S. 808 (1975) (*Mount Laurel I)*.

Following this lead, the California Supreme Court adopted the regional welfare standard in *Associated Homebuilders of the Greater East Bay, Inc., v. City of Livermore*, 18 Cal. 3d 582 (1976): [If] a restriction significantly affects residents of surrounding communities, the constitutionality of the restriction must be measured by its impact not only upon the welfare of the enacting community, but upon the welfare of the surrounding region. *Id.* at 601.

The local power to regulate land use has also been limited by statute. Beginning in the 1960's, Congress and state legislatures started to recognize the disastrous effects that unfettered local discretion can have on racial integration, the environment and the provision of affordable housing. Federal and state laws– especially state mandated local planning laws and fair housing laws– placed significant limitations on local power to exclude housing, balancing the need for affordable housing and equal opportunity with the need for local decision making. Generally, these laws not only restrict exclusionary or discriminatory land use policies, but also require communities to affirmatively plan for inclusion of affordable housing.

California has taken the lead nationally, mandating that all local governments adopt a housing element as part of the local general plan, that "makes adequate provision for the housing needs of all economic segments of the community." Cal. Govt. Code §65580 *et seq*. California's fair housing laws also expressly prohibit discriminatory land use polices (Cal. Govt. Code §12955 *et seq.*) and discrimination against affordable housing (Cal. Govt. Code §65008). And the state's "anti- NIMBY" law requires local government to approve certain affordable housing developments unless certain rigorous findings are made (Cal. Govt. Code §65589.5)."

"Furthermore, a study from the California Affordable Housing Law Project of the Public Interest Law Project and Western Center on Law and Poverty dated December 2002, "Inclusionary Zoning: Legal Issues and Inclusionary Zoning: Policy Consideration and Best Practices" determined that Inclusionary Zoning is Constitutional. The study states:

"An implementing ordinance that provides clear obligations, standards for compliance and a system for monitoring compliance is a great advantage to local government. It helps ensure that the community will receive the benefit of the inclusionary requirement from all developments by making the inclusionary component part of the locality's zoning laws and development application process. It also will set out the mechanism for the community to verify compliance, including substantiation of the continued affordability of the housing it has produced. . .A land use or zoning regulation enacted as legislation with general applicability to all developments is better protected from a legal attack under the taking clause of the state and federal constitutions than is a general statement as policy that can be applied on an *ad hoc* basis by local staff/counties." [*sic*]

"I end quoting the study here.

"Another study entitled "Inclusionary Zoning [*sic*] California: 30 Years of Innovation," done in 2003 by the California Coalition for Rural Housing and Non-Profit Housing Association of California found that many of the opposition to inclusionary zoning is unfounded:

> Local officials cite a number of factors that complicate or undercut successful implementation of inclusionary programs. The principal obstacle is scarcity of land for development, noted by 59 percent of jurisdictions, followed by developer opposition, noted by 39 percent. Lack of funding and community opposition are obstacles in 31 percent and 19 percent of jurisdictions, respectively. Other respondents cite high land prices and inadequate public works infrastructure as challenges to the development of new affordable housing.
>
> Developer opposition arises from the perspective that inclusion of affordable housing in market-rate developments is financially prohibitive and/or unfairly shifts costs to moderate- and above moderate-income families via higher sales prices and rents. Moreover, profit-motivated builders argue that they are unfairly forced to shoulder the financial onus for affordable housing provision that should rightly be borne by the public sector in partnership with below-market-rate developers in the business of developing and operating affordable housing.
>
> In the face of enormous housing needs, expectations are shifting in the contemporary development scene. Accepting the task of building or supporting affordable housing will require for-profit developers to adapt. While it is not surprising that there is resistance, the market arguments that inclusionary policies will stifle construction or dramatically increase market-rate real estate prices have yet gone unproved. During the 1990s, construction rates and permit valuations remained steady or rose in inclusionary jurisdictions, as they did statewide. Anecdotal reports confirm that developers continue to build and that more newly constructed units are affordable as the result of local inclusionary programs.

"Inclusionary Zoning regulations can survive legal attack if they are specific and apply across-the-board. At the same time, the policy should afford the community the ability to provide exemptions for true hardship and alternative means of compliance, along with clear implementation procedures.

"To reach maximum effectiveness and meet the goal of inclusion, policies should require as many on site comparable affordable housing units as possible. This practice leads to sound planning by encouraging income-integrated communities and assisting in the prevention of unfounded stigma often attached to affordable housing.

"Inclusionary Zoning housing elements would include:

- The percentage of units that must be affordable in each income category.
- The duration of the affordability requirements.
- The alternatives to production of units (in lieu of fees, donation of land).
- The date by which the community will adopt an implementing ordinance.
- The intent and purpose of the ordinance.
- Finding demonstrating need for the ordinance.
- Definitions of key terms (income levels, affordability).
- Specific standards for determining compliance.
- Eligibility for exceptions or alternatives.
- Step by step procedures for applying its provisions.
- A system for enforcing and monitoring compliance.
- Specifying by income category the economic segments for who the units must be affordable.

"Thank you for your consideration of this important measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2242, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 651-08) recommending that H.B. No. 3100, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3100, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED PENALTIES FOR INSURANCE VIOLATIONS COMMITTED AGAINST ELDERS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 652-08) recommending that H.B. No. 2435, HD 1, as amended in HD 2, 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.B. No. 2435, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY CHILDHOOD EDUCATION," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 653-08) recommending that H.B. No. 2575, HD 1, as amended in HD 2, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2575, HD 2, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2575, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 654-08) recommending that H.B. No. 2579, as amended in HD 1, pass Second Reading and 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.B. No. 2579, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CARE HOME REPAIR AND RENOVATION LOAN GUARANTEE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 655-08) recommending that H.B. No. 3130, as amended in HD 1, pass Second Reading and 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.B. No. 3130, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY CARE FOSTER FAMILY HOMES," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 656-08) recommending that H.B. No. 3251, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3251, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"On Stand. Com. Report 656-08, Relating to Taxation. I would like a no vote please with a brief comment. Mr. Speaker, the component of this bill which attempts to build multi-family housing along a fixed guideway is well taken. Except it goes beyond, in my belief at least, it is premature in that it exempts the operator of a fixed guideway system from the GET tax.

"Number one, we are not having a fixed guideway system yet, even though it looks like it's coming. Number two, we don't have an operator. So why are we passing a bill that exempts the operator of a fixed guideway system when we have neither. I'm not sure if there's a subterranean meeting which I've missed, or if there's something that we want really the other one and we put this one. But why this one is in, it gives too much creditability to what otherwise is a very controversial issue with the GET associated to it. So to give an exemption now seems to be a bit premature to say the least. Thank you, Mr. Speaker."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3251, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representative Ward voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 657-08) recommending that H.B. No. 2581, as amended in HD 1, pass Second Reading and be referred to the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Second Reading and was referred to the Committee on Transportation with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Shimabukuro and Sonson, for the Committee on Human Services & Housing and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 658-08) recommending that H.B. No. 2765, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2765, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 659-08) recommending that H.B. No. 2186, HD 1, 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.B. No. 2186, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 660-08) recommending that H.B. No. 2256, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2256, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On 660-08, this is the insurance bill. Please ask the Clerk to cast a no vote for me. I believe this will hurt consumers that are carrying health insurance."

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2256, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives McKelvey and Thielen voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 661-08) recommending that H.B. No. 2766, HD 1, 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.B. No. 2766, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 662-08) recommending that H.B. No. 3178, pass Second Reading and 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.B. No. 3178, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 663-08) recommending that H.B. No. 3174, pass Second Reading and 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.B. No. 3174, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 664-08) recommending that H.B. No. 3260, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3260, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FISHING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 665-08) recommending that H.B. No. 3429, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 666-08) recommending that H.B. No. 3126, pass Second Reading and 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.B. No. 3126, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 667-08) recommending that H.B. No. 2807, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2807, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'd like to offer some comments with reservations as to 667-08. Mr. Speaker, this bill, Relating to Land Use, has as its subject matter, important ag lands. And I think what we saw in the past few weeks was a number of bills that looked at identifying important ag lands. I think that this bill does reflect some very thoughtful writing and crafting of this law, but I am concerned because it might be reworking the compromise that was decided by this legislative body in 2005.

"I'd also like to point out that one of the provisions in House Draft 1 of HB 2807 states and allows that 'in lieu of satisfying a State or county affordable housing assessment in the urban district, a project land owner subject to subsection (b) may fulfill the assessment by providing affordable housing in the rural district.'

"Language like this concerns me because it seems to me that we would want to have affordable housing in the urban area when we talk about mixed use development. We want to see a range of housing in the urban core. And so that kind of language concerns me, and as this moves forward, I hope we look at this more carefully. Thank you."

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

"Thank you, Mr. Speaker. I have the same strong reservation for Stand. Com. Report 667-08 and 666-08. It appears to me that we keep making efforts to reclassify important ag lands in the name of building affordable homes. But I believe that until we develop stipulations on who are eligible for affordable homes and set requirements and penalties as well for the resale of affordable homes for profit or for speculative buying, we will never be able to produce enough land or enough affordable housing.

"I think we need to look at what we are doing with affordable housing because we are just inviting more trouble as we go along. More affordable housing, more people to Hawaii, and we can't produce more lands for them. Thank you."

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

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

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

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

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

"Mr. Speaker, I am in support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2807, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 668-08) recommending that H.B. No. 2357, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2357, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I have the same strong reservation for Stand. Com. Report 667-08 and 666-08."

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

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

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

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

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

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

"Mr. Speaker, I am in support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representative Berg voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 669-08) recommending that H.B. No. 3181, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 3181, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I would like a no vote on 669-08, H.B. 3181, HD 1, that deals with safe harbors. I don't support safe harbors."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 3181, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Finance with Representative Thielen voting no, and with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representatives Ito, Chang and Yamane, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Higher Education and the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 670-08) recommending that H.B. No. 2429, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2429, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. Report 670, Relating to Recreation which will transfer Aloha Stadium to the University of Hawaii, I am speaking in favor with reservations. It looks like somebody has done a lot of work on this bill since it was first introduced and heard. It's not half as wild as it used to be, however I still have reservations. So I will be voting yes, but with reservations. Thank you."

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

Representative Chang rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Chang's written remarks are as follows:

"Mr. Speaker, I am rising in support of HB 2429, HD1. This past successful football season brought the spotlight not only on our outstanding team, but also on the deplorable conditions of our athletic facilities.

"The question in the public's mind is, 'Who is responsible?' The UH Administration? The Board of Regents? The Legislature? The Governor? Why was this not brought to their attention earlier instead of waiting until Colt Brennan complained of the lack of soap in the shower room?

"Unfortunately the answer may be all of the above. Do we fault the Board of Regents or UH Administration for earmarking and giving a higher priority for funding much needed repair and maintenance to the upper campus? Education of our students is of course our highest priority. With limited funds to maintain the States highest educational institution, it is no wonder that attention to athletic facilities may have fallen by the way side for so many years.

"This bill is just the start, and as written may not be the answer to funding our athletic departments throughout the University of Hawaii System. But we need to think outside of the box, be innovative and harvest ideas from the private business sector, who will not be handcuffed by government bureaucracy.

"Can this new stadium corporation do a better job of operating, maintaining, managing and generating more income than the present Aloha Stadium Authority? Can this new corporation generate enough net income to transfer to the intercollegiate athletics program of the University? This bill specifies that the Legislature shall use its discretion to determine whether the debt service on the General Obligation Bonds would be reimbursed by the newly created Aloha Stadium Special Fund or paid only with general funds.

"I ask members to give this bill a chance as it moves to the Finance Committee where it will be scrutinized by both the UH System Administration and the Committee. This is another funding source for the University of Hawaii to help level the playing field with other intercollegiate athletic competitors. This bill will also help the core academic mission of the University by making available more funds for the upper campus."

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

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

"Thank you, Mr. Speaker. I'd like to register strong reservations on Stand. Com. No. 670."

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

"Mr. Speaker, I am in support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2429, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECREATION," passed Second Reading and was referred to the Committee on Finance with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 671-08) recommending that H.B. No. 647, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 647, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Herkes, Nakasone, M. Oshiro, Pine and Takumi being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolution (H.R. No. 66) and concurrent resolution (H.C.R. No. 82) were referred to Printing and further action was deferred:

H.R. No. 66, entitled: "HOUSE RESOLUTION ENCOURAGING THE HAWAII TOURISM AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEDICATE FUNDS TO KEEP HAWAII'S BEACHES CLEAN AND SUSTAINABLE," was offered by Representative Morita, by request.

H.C.R. No. 82, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE HAWAII TOURISM AUTHORITY AND THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO DEDICATE FUNDS TO KEEP HAWAII'S BEACHES CLEAN AND SUSTAINABLE," was offered by Representative Morita, by request.

At 1:33 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:33 o'clock p.m.

ADJOURNMENT

At 1:34 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, Wednesday, February 20, 2008. (Representatives Herkes, Nakasone, M. Oshiro, Pine, Saiki and Takumi were excused.)

TWENTY-SECOND DAY

Wednesday, February 20, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered in song by Representative Lynn Finnegan, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Morita and Souki, who were excused.

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

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 264) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 264, dated February 14, 2008, transmitting the Interim Report on Hawaii-Grown Coffee Labeling and Inspection, and Economic Impact of Potential Changes to Minimum Content Requirements, Senate Concurrent Resolution 102, Session Laws of Hawaii 2007.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 19 though 22) were received and announced by the Clerk:

Sen. Com. No. 19, transmitting S.B. No. 2407, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISALS," which passed Third Reading in the Senate on February 15, 2008.

Sen. Com. No. 20, transmitting S.B. No. 2825, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on February 15, 2008.

Sen. Com. No. 21, transmitting S.B. No. 2827, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," which passed Third Reading in the Senate on February 15, 2008.

Sen. Com. No. 22, transmitting S.B. No. 3240, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," which passed Third Reading in the Senate on February 15, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representatives Cabanilla, Morita and Souki were excused.)

S.B. No. 2407, SD 1	S.B. No. 2827, SD 1
S.B. No. 2825, SD 1	S.B. No. 3240, SD 1

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 54 and 55) were received by the Clerk and were placed on file:

Dept. Com. No. 54, dated February 8, 2008, from the University of Hawaii, transmitting the report, the Annual Report on University of Hawaii Uncollectible Accounts FY2007.

Dept. Com. No. 55, dated February 19, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Financial and Management Audit of the Moloka'i Irrigation System.

INTRODUCTIONS

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

Representative Magaoay introduced world-class soccer player from Haleiwa, Mr. Brian Ching of the Houston Dynamos. He was accompanied by his mother and first coach, Ms. Stephanie Whalen; his cousin, Ms. Kelly Jackson; and Houston Dynamos Director of Public Relations, Mr. Steve Mark.

Representative Mizuno introduced gymnasts, their family members and coaches from the California Sports Center: Ms. Brandi Woo, Ms. Brianna Chrisman, Ms. Caitlin Anderson, Ms. Kristen Matsuno, Ms. Mary Peterson, Ms. Courtney Nakashima and Ms. Katelyn Foley. They were accompanied by members of his staff, Mr. Edgar Fernandez, legislative intern Mr. Michael Gatti of the UH School of Social Work, and legislative aides Dr. Leiolani Oyama and Ms. Josephine Dasario.

Representative Tsuji introduced students from the University of Hawaii School of Social Work: Ms. Paula Stockman Allerstorfer, Ms Kristi Kubota, Mr. Leatapo Kaleopa, Mr. David Paz, Mr. Sunny Wheat and Mr. Stanford Sasaki.

Representative Har introduced her legislative intern, Mr. Jonathan Allen, Junior Class Vice President at Kapolei High School and Board of Education Student Representative.

Representative Ward introduced Mr. Dick Botti, President of the Hawaii Food Industry Association.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolution and concurrent resolution were referred to committee by the Speaker:

H.R. No.	Referred to:
66	Committee on Tourism & Culture, then to the Committee on Finance

H.C.R. No.	Referred to:
82	Committee on Tourism & Culture, then to the Committee on Finance

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
2399	Committee on Judiciary
2982	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing, then to the Committee on Finance
3061	Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
266, HD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary and the Committee on Finance
2929, HD1	Committee on Labor & Public Employment, then to the Committee on Finance
2969	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 672-08) recommending that H.B. No. 2486, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2486, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2486, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Cabanilla, Morita and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 673-08) recommending that H.B. No. 2409, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Cabanilla, Morita and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 674-08) recommending that H.B. No. 2455, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2455, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against the campaign spending bill which increases corporate contributions. This is Standing Committee Report No. 674.

"Mr. Speaker, let me just read from one of the organizations that testified against this bill. First of all, what the bill will do is raise the amount of the contributions that a corporation can give to a political candidate. The Americans for Democratic Action, the Hawaii Chapter, testified in strong opposition to this bill and I quote, in part:

> For the past two years, Act 205 of the 2005 Legislature has limited corporate contributions to political campaigns. We are aware that the interpretation of this law has not been resolved in the courts and the Legislature's attempting to clarify it. However this bill proposes to do so by drastically increasing the ability of corporations to influence political decision-making for campaign contributions.
>
> "They go on to say:
>
> Allowing the deep pockets of corporations to fund candidates greatly dilutes the impact of individuals on the political process. We do not know on what basis a democracy can allow corporations to make campaign contributions at all. The directors or officers in corporations have the same right as all other people to make such contributions as individuals. On that basis should they be given an additional opportunity, one not available to the general public to direct money under their control to political campaigns through their corporation? Doing so gives those officers and directors more opportunity to influence politics than has the average citizen and seriously damages our democracy.

The Americans for Democratic Action Hawaii Chapter also notes that the federal government and 22 states disallow all direct contributions to candidates for office.

"Mr. Speaker this bill moves us backward. A number of us were supporting clean elections, publically funded elections. Those people that said they supported clean elections should be voting no on this bill. It moves us backward, gives corporations undue influence and moves us further away from clean government. So I am voting a strong no."

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

"Mr. Speaker, I rise to speak in support. I just wanted to clarify some of the comments. First and foremost, a corporation is entitled to give corporate contributions in a campaign, and that has already been decided by the United States Supreme Court in the *First National Bank of Boston v. Bellotti* case 435 U.S. 765 (1978). They've already held that you cannot necessarily prohibit corporations from giving to campaigns because it's part of free speech. So I think that argument falls by the wayside.

"The second argument is whether other jurisdictions such as the federal government and/or other states have allowed a prohibition on direct corporate contributions, and they have done so. Because what the Supreme Court has said is you can do that if you allow them an alternative vehicle and that's done through a non-candidate committee, or as we commonly call them, a PAC. So that is the problem that is before us today.

"What we had when we passed Act 205 [Act 203] in 2005 was an interpretation, unfortunately wrong, by the Campaign Spending Commission, and that was found to be incorrect by the Circuit Court of the 2nd Circuit in their findings of fact and conclusions of law dated July 23, 2007. So they have an unenforceable law and interpretation on the books. They said, 'We can't do anything about it because it's on appeal. We don't know how long that's going to take.' Unfortunately what that does with their interpretation, wrongly so as they have admitted … Well, not that they've admitted, but as already found by the courts. But that prevents corporations from donating at all because it really severely chills their opportunity for speech.

"So I think if we're going to be living by the United States Supreme Court, that case that I already cited, we need to correct this because our own Campaign Spending Commission unfortunately has an erroneous interpretation of the law. Even our own Attorney

General has supported our position and said that the Campaign Spending Commission's interpretation of the law is wrong.

"So at this point we have the AG saying they're wrong. We have a court saying they're wrong. And now we're going to be saying they're wrong, because that appears to be the only way that they're going to listen and know what the proper interpretation is. Because while they can have an interpretation, ultimately they are an administrator and executor of the policy, and not the policy-maker. That is something for us to decide. So for those reasons, I stand in support."

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

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

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

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

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

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

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

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

"Mr. Speaker, I rise with reservations and if I could make some brief comments. When we initially passed the Act 203 in 2005, one of the driving forces behind the change was the Campaign Spending Commission. And I think the Campaign Spending Commission itself knew what they wanted to accomplish. What precipitated that was an outdated law. I think it was passed in the 80s or decades before which pretty much said, 'If you're a corporation you have to register as a PAC.' So now, in order to try to rectify that change, they said, 'Okay, if you have to be a PAC, now you have to comply with the PAC rules.' So they came up with this idea that it has to be limited to $1,000.

"My reservation is pretty simple: I think there is unclarity in the law. I've always felt that we need to let the core process figure out what exactly the contribution limit and the contribution laws are in the State of Hawaii, and we need to let this go. For us to change the way it is in midstream, we're going to have different laws guiding people who gave prior to this new bill being in effect, post the *Tavares* decision, or pre-*Tavares* decision. I think there's a lot of confusion and I think the Campaign Spending Commission right now is going to try to have people comply with Act 203, but until that time, and until there's a final decision by the Supreme Court, I don't think the Legislature should get involved. Thank you."

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

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

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

"Mr. Speaker, I am voting with reservations and would like a brief comment to be added into the Journal if I may. Mr. Speaker, the law of the land is that if you're a corporation or a union, you cannot give money to federal candidates. That has been the law of the land for years, notwithstanding what was an aberration of the court case that says that it's doable. It is doable through PACs. That's the law of the land.

"What the Representative of Kailua has said, that we are going backwards if we're going to put corporations and mainstream them into giving as unlimited as individuals do. She should be very clear, one of the first campaign spending bills that was in the early 1900s in limiting corporations, except corporations got around them. And it was only until a couple of decades ago that we actually straightened that out, and now it is clearly only through Political Action Committees that corporations can give. And also, more recently with unions. These two big dynamos were really what was at battle, in the corporate battle for campaign finance. With that Mr. Speaker, I will have other remarks to be submitted for the Journal. Thank you."

Representative Ward submitted the following publication:

OFFICE OF DEMOCRACY AND GOVERNANCE

"...promoting the transition to and consolidation of democratic regimes throughout the world."

MONEY IN POLITICS HANDBOOK: A GUIDE TO INCREASING TRANSPARENCY IN EMERGING DEMOCRACIES

November 2003

Technical Publication Series

Office of Democracy and Governance
Bureau for Democracy, Conflict, and Humanitarian Assistance
U.S. Agency for International Development
Washington, DC 20523-3100

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The USAID Office of Democracy and Governance Technical Publication Series was launched in March 1998. The series includes publications intended principally for USAID personnel; however, all persons interested in the sector may benefit from the series. Authors of individual publications may be USAID officials and/or other individuals from the public and private sector. The Office of Democracy and Governance reserves the right to review and edit all publications for content and format and all are subject to a broad USAID review process. The series is intended in part to indicate best practices, lessons learned, and guidelines for practitioner consideration. The series also includes publications that are intended to stimulate debate and discussion.

A list of other relevant publications and ordering information are included at the back of this document.

ABOUT THIS PUBLICATION
This is the first publication by USAID on the topic of political finance in emerging democracies. Its purpose is to increase understanding by USAID field staff, host-country political leaders, civil society organizations, and the media of the sometimes obscure and sensitive topic of political finance. It also creates awareness of the issues and benefits of open finances and suggests some practical technical assistance options that encourage the use of disclosure as a methodology for strengthening national democratic political processes.

Comments regarding this publication and inquiries regarding political finance should be directed to

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The Office of Democracy and Governance is the U.S. Agency for International Development's focal point for democracy and governance programming. The DG Office's role is to provide USAID and other development practitioners with the technical and intellectual expertise needed to support democratic development. It provides this expertise in the following areas:

- **Rule of Law**
- **Elections and Political Processes**
- **Civil Society**
- **Governance**

ACKNOWLEDGMENTS

Gene Ward, PhD
Gene is senior advisor political finance in the USAID Office of Democracy and Governance. He received his Ph.D. from the University of Hawaii while a degree scholar at the U.S. State Department-funded East-West Center in Honolulu. His area specializations are international economic and political development. He served in the Hawaii House of Representatives from1990 until 1998, half of this time as the minority leader. Gene was a candidate for the U.S. Congress from Hawaii's First Congressional District in 1998. Prior to joining the Office of Democracy and Governance, he was the program coordinator for the International Republican Institute's Local Autonomy project in Indonesia. Before entering elected politics, Gene was the co-founder and executive director of an entrepreneurship development non-profit organization, the first in the United States to put the unemployed into their own businesses. He spent two years in Malawi as an advisor to the U.N. International Labor Office in Lilongwe. Gene is the primary author of this handbook, with the research component conducted by the International Foundation for Election Systems. Special appreciation and acknowledgement for the organizational and editorial contributions that shaped this handbook are due Michele Schimpp.

Michael Pinto-Duschinsky, PhD
Michael is a leading world authority on international political finance. He is a senior research fellow in politics at Brunel University, U.K., and chairs the International Political Science Association's Research Committee on Political Finance and Political Corruption. Michael has authored a number of books and articles on political finance including the recent ACE Project (*Administration and Cost of Elections*). He is a member of the board of directors of the International Foundation for Election Systems, and has advised numerous governments on political finance.

Herbert Alexander, PhD
Herb is distinguished emeritus professor of political science and is the leading authority on political finance in North America. He received his doctorate in political science from Yale University and has specialized on the question of money and politics since his days as a research scholar in graduate school. Herb has taught, lectured, and published on the subject at Princeton, Yale, and the University of Southern California. He has also served governments at the federal and state levels as, among other things, executive director of the president's Commission on Campaign Costs and, later, consultant to the president, and as consultant to the comptroller general of the United States. Herb has written, co-authored, or edited more than 20 books and 200 articles relating to money in politics, including *Financing Politics: Money, Elections and Political Reform, 9th Edition*.

International Foundation for Election Systems (IFES)
IFES was responsible for the data collection for this handbook. Founded in 1987, IFES is a private, non-profit, nonpartisan over-funded organization dedicated to providing need-based assistance in election administration and sustainable democracy building. It also serves as a clearinghouse for information and resources on elections worldwide. Headquartered in Washington, DC, with field offices in 25 countries across Africa, the Americas, Asia, Europe, and the Middle East, IFES has supported democratic initiatives in more than 120 countries. It has a multilingual staff of over 200 worldwide, offering vast country-specific experience in election administration, good governance, rule of law, civil society, conflict resolution, applied research, gender issues, public information technology, and more.

IFES commissioned case studies and contributions from the following researchers: Randhir Jain (on India), Joel Rocamora (on the Philippines), Marcin Walecki (on Ukraine), Laura Thornton (on Thailand), Menachem Hofnung (on international court cases), Nicole Gordon (on enforcement), and Robert Dahl (on a model disclosure law). Eve E. Epstein completed the final technical edits. The Organization of American States (OAS) is translating this handbook into Spanish.

MONEY IN POLITICS HANDBOOK: A GUIDE TO INCREASING TRANSPARENCY IN EMERGING DEMOCRACIES

CONTENTS

EXECUTIVE SUMMARY 1

I. INTRODUCTION 7

II. CAMPAIGN AND PARTY FINANCE: RISKS AND REFORM 9

A. Money in Politics: Potential Risks 9
B. Controlling Money in Politics: Main Reform Approaches 13
C. Enforcement: Turning Laws into Practice 18

III. THE ANATOMY OF DISCLOSURE 21

A. The Disclosure Process 21
B. Who Needs to Disclose What and to Whom 21
C. Timely Access to Disclosure Data 25
D. Potential Costs and Disadvantages of Disclosure 25

IV. INTERNATIONAL TRENDS IN DISCLOSURE 27

V. CONTROLLING MONEY IN POLITICS: THE U.S. EXPERIENCE 33

A. Legal Framework of Campaign Finance in the U.S 33
B. Highlights of the U.S. National-level Political System 34

VI. UNDERSTANDING THE MONEY IN POLITICS LANDSCAPE 39

A. Defining the Nature and Extent of the Problem 39
B. Identifying Key Actors and Allies 41
C. Identifying the Legal Framework and Practices 44

VII. ADVANCING DISCLOSURE 47

A. Establish and Strengthen Coalitions and Their Members 47
B. Review and Enhance the Legal Framework for Disclosure 49
C. Encourage Reforms with Political Parties and Leaders 49
D. Strengthen Enforcement 50
E. Link with Anti-corruption Programming 51
F. Support Regional Organizations 52
G. Move Forward 52

APPENDIX A: Basic Disclosure Rules in 118 Countries

APPENDIX B: Act of Congress to Improve Financial Disclosure in Foreign Countries

APPENDIX C: Bibliography and Website References

APPENDIX D: Sample Disclosure Forms

APPENDIX E: Disclosure Thresholds by Country

APPENDIX F: Enforcement of Disclosure by Courts

APPENDIX G: Detailed Guidelines on Drafting a Disclosure Law

APPENDIX H: Controlling Money in Politics: U.S. Legislative Milestones

EXECUTIVE SUMMARY

This handbook is a primer on the topic of money in politics with special emphasis on the role of disclosure. "Money in politics" refers to the funds used for electioneering and influencing political processes. "Political finance" is an umbrella term for "party finance" or "campaign finance." In parliamentary systems, which are largely party-driven, party finance is the term of choice. In presidential systems, which are candidate-driven, campaign finance is the term of choice.

The handbook provides an overview of campaign and party finance, examines the role that money plays in the politics of a nation, and describes how countries attempt to regulate the flow of funds into political contests. Its main premise is that disclosure of campaign and political party finance is the cornerstone upon which all other attempts to control money in politics rest. Transparency is a foundational principle for democracy, and key to the legitimacy of every nation's elected officials as well as its electoral and political processes.

The purpose of the handbook is to orient and provide action-related ideas to democracy practitioners, civil society organizations and activists, political leaders, scholars, election authorities, and the international community concerned with the influence of money in politics. In addition to highlighting the risks of money in politics, it summarizes strategies to control the flow, showing that the need for more disclosure and enforcement lies at the heart of reform efforts. It provides a framework for understanding the money in politics landscape in a country and suggests a variety of program options.

> *Sunlight is the best disinfectant.*
>
> Justice Louis Brandeis (U.S. Supreme Court 1916-1939)

This handbook contributes to existing literature in the emerging field of political finance and is the first publication entirely committed to the topic of political financial disclosure. It reflects the findings of a rigorous, systematic survey of disclosure laws in 118 developed and developing countries around the world and examines the global state of transparency.[1] It also provides highlights of the U.S. effort to make political finance fair and transparent.

A. Why Money in Politics is Important

Without money in politics, competitive multi-party democracies could not function, nor could their governments operate. Like a form of free speech, political finance is linked to the health and strength of a democracy. Laws and regulations to control political finance risk stifling the basic right of citizens to provide funding to the candidate or party of their choice.

[1] See Appendix A for the disclosure status of each country surveyed: 23 percent of countries (N=27) surveyed were from Africa; 20 percent from the Asia/Pacific region (N=20); 29 percent were from eastern and western Europe (N=29); with the Caribbean and Latin American countries comprising 26 percent of the surveyed countries, and the United States and Canada representing 2 percent of the surveyed nations. Under USAID sponsorship, the International Foundation for Election Systems (IFES) conducted a survey to determine the state of the art of disclosure in the world. Information on the political finance disclosure laws of 118 countries was collected. This survey provides the most comprehensive comparative examination of disclosure laws to date.

Nevertheless, there are at least four risks associated with money in politics that prompt the effort to control it:

- **Uneven playing field**—the risk that large sums of money in politics give undue advantage over others and constrains competition
- **Unequal access to office**—the risk that certain sectors of a population lacking money are prevented from running for office or getting meaningful representation
- **Co-opted politicians**—the risk that those who donate funds will control the politicians they finance
- **Tainted politics**—the risk that dirty or illicit money will corrupt the system and undermine the rule of law

These risks threaten both democratic and economic development and many emerging democracies have yet to address them.

B. The Key Role of Disclosure in Controlling Money in Politics

In general, there are six main approaches to controlling money in politics. They are contribution limits, contribution bans, spending limits, campaign time limits, public disclosure, and public financing. Often a combination of approaches are included in a given reform initiative, but there is no agreed upon formula for what constitutes the best mixture of approaches.

What is clear is that limits and prohibitions on money in politics, or political finance, can work only if there are adequate rules for disclosure. Public disclosure is the most basic method of controlling money in politics. It requires two things: (1) that candidates and parties report in detail on receipts and expenditures; and (2) that campaign and party funding reports are available for timely public scrutiny. Founded in transparency and openness, public disclosure lets the public decide what to do with the information disclosed. Disclosure is generally accepted as more neutral than other restraint strategies. Without disclosure, most of the other strategies to control money in politics simply won't work or are not enforceable.

It is, therefore, an important finding of the USAID survey of 118 countries that most nations do not hold their politicians accountable through disclosure requirements. Highlights of survey findings include

- **Hidden donors**—Very few countries require politicians to reveal sources of campaign funds. Only 32 percent require revealing the names of donors to political parties. This means that in most of the countries, parties and campaigns could be funded by anybody and escape public scrutiny.
- **Secrecy**—Of the countries surveyed, 23 percent have no disclosure laws whatsoever, thus depriving their publics of any basis for informed discussion. Another 17 percent practice a kind of "hidden" disclosure. They collect some political finance information, but do not release the information to the public.
- **Insufficient disclosure**—The vast majority of reporting takes the form of aggregate numbers. However, without itemization of contributions or expenditures, reports cannot be audited by

electoral commissions or civil society. Countries that require reporting of names of donors to political parties may not require listing the amount of money each donor contributed. Countries that require expenditure reporting may not require identification of vendors and products or services purchased. This inhibits the audit trail and obviates full disclosure.

C. Understanding the Money in Politics Landscape

It is not easy to determine whether—and in what way—money in politics is a problem in a given country. For one thing, a widespread bias towards more suspicion of wrongdoing than empirical studies can refute tends to obscure the analysis process. For another, very few people understand how political finance works, and information is hard to come by. Further, there is no systematic methodology for studying the issue.

To get an analytical handle on these challenges, this handbook offers a framework for strategic assessment. It offers key questions as starting points for data gathering and discussion in a three-stage process:

1. **Defining the nature and extent of the problem**—This stage guides assessment of the problem within the context of the four principal risks. It helps determine which risks are the most serious, and how risk factors inter-relate. The nature and extent of the problem will dictate the kinds of interventions with the highest potential for success.
2. **Identifying key actors and allies**—This stage guides assessment of the players who are, or could be, the advocates or champions for money in politics reform. Possible key actors and allies are election commissions, civil society, media, and reform-minded politicians and parties. These groups work on their own and together. It is critical to know who the advocates are or might be, what they can or could do, and what kinds of strategic alliances among them can advance money in politics reform.
3. **Identifying the legal framework and practice**—This stage guides assessment not only of laws and regulations that are on the books, but also of the realities reflecting compliance and enforcement. It helps identify the nexus between policy and practice as well as the incentives and disincentives the legal infrastructure creates for candidates and parties.

Answers to these questions will better enable democracy practitioners to determine whether there is a need for campaign and party finance reform, with particular attention to disclosure, and if so, whether conditions are sufficiently favorable for promoting reform through disclosure.

D. Assistance Options for Democracy Practitioners

Each country situation is unique, and money in politics programming is still in the developmental stage. Nevertheless, some NGOs, political leaders, media representatives, researchers, and regional and international organizations have implemented a number of initiatives that hold promise for achieving results. External assistance can support these initiatives, singly or in combination. Options include

- **Establish and strengthen coalitions and their members**. Greater transparency in political finance requires joining the forces of those interested in reform, potentially including civil society organizations, political parties or selected politicians, the media, and election commissioners.

Assistance can focus on increasing advocacy skills for disclosure, introducing innovative techniques for partnering, defining a coalition leadership structure, identifying ways to draw additional strategic partners into the alliance, planning for managing opposition, and other functions that support coalition members individually and collectively.

- **Review and enhance the legal framework.** Research completed for this handbook found that few nations have adequate disclosure laws and regulations. Programs can provide expertise in reviewing the country's disclosure laws and other relevant legal and regulatory provisions, resulting in detailed recommendations for improvements. They can also assist various constituencies (such as reform-minded legislators, election commissioners, other relevant government agencies, and NGOs) considering options for new and/or revised laws and regulations, and facilitate a group effort to draft them.
- **Encourage reform with political parties and leaders.** Political parties and leaders can be engines of political finance reform and proponents of public disclosure. There are types of assistance that may be specifically targeted to parties. Identifying reform-minded parties and political leaders is the first step, followed by assistance to help shape a reform agenda that stresses disclosures benefits to both parties, the public, and candidates. Or if disclosure is already in place, helping political parties to build systems and capacities can achieve greater compliance.
- **Strengthen enforcement.** Public disclosure effectively enforced is the backbone of most approaches to controlling money in politics. Enforcement of public disclosure can be strengthened indirectly by working with coalitions to lobby for better enforcement of laws and regulations, to assist in monitoring disclosure reports, and to encourage the will of enforcers to follow through on their responsibilities. Or enforcement may be strengthened through improving the legal framework, addressing legal barriers to effective public disclosure and/or the institutional weakness of enforcement bodies.
- **Link with anti-corruption initiatives.** USAID-supported anti-corruption initiatives are increasing worldwide. Many can easily expand to incorporate disclosure. One of the easiest anti-corruption measures that cross over into political finance disclosure is asset disclosure by elected and appointed officials. It is becoming increasingly popular within the context of countering corruption, is reasonably acceptable politically, and relatively easy to implement and verify.
- **Support regional organizations.** The focus on money in politics is a global phenomenon. Many regional organizations are increasingly concerned with money in politics, especially disclosure, as people addressing the issue learn from each other's experiences and identify opportunities for collaboration. Such organizations as the Association of Central and Eastern European Election Officials (ACEEEO) and the Organization of American States (OAS) are actively pursuing an agenda of campaign finance disclosure through education, research, and technical assistance.

The political history of nations is well known, but their political financial history is just now being written through the study of money in politics, and much more needs to be learned. The state of the art of disclosure has shown that much more needs to be done to be able to account for how much money political parties and candidates in emerging democracies are actually collecting or spending to win elections. Even less is known about where the money comes from.

Disclosure allows the government and the public to keep score on the amounts, sources, and destinations of money in politics. Disclosure reports are to politics what profit and loss statements are to business. Without them, governments and citizens risk never knowing the price tag of their democracy or the identity of the major influences behind it, whether corporate, union, ordinary citizens, special interest groups, drug lords or other criminal elements.

Political finance is a vital issue for democracy, governance, and development. No matter how flawless are a country's elections, how active its civil society, how competitive its political parties, and how responsible its local authorities, the role of money in politics undeniably influences the quality of democracy and governance. Only through greater transparency will one fully understand the extent and nature of this influence.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading, and was placed on the calendar for Third Reading with Representative Thielen voting no, and with Representatives Cabanilla, Morita and Souki being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 675-08) recommending that H.B. No. 2602, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2602, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against Standing Committee Report No. 675, which is another campaign spending bill. Thank you. Mr. Speaker there are two provisions in this bill to which I object. I will speak to one of them, and someone else may want to speak to the other.

"In the first section of the bill, subsection 14, it raises the amount from $100 to $250 for the candidate to be required to give the name, address, occupation and employment of the donor. In other words, as the law stands now, if we receive $100.01, we're required by law to give the name, address and occupation of that donor. That is good for the purposes of transparency in political campaigns.

"This bill now raises that amount to $250. That's a significant increase, Mr. Speaker. And it means that donors that give you money, $250 will just be lumped together as a line item. No identification of who they are. No identification of their employer. No transparency in the political arena. Both of these bills, the one before this that we discussed, and this bill, go backwards.

"We've made some good strides toward campaign spending reform. These bills go backward and I just don't see why the Members of this body want to do that. It makes no sense to me. The Clean Elections had a lot of momentum and a lot of support. I can look around at the faces in this room and see those who have been here for a while that stood up and claimed they believed in clean elections. This bill goes backward Mr. Speaker."

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

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

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

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

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

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

"Mr. Speaker, I would like a no vote with a couple of comments. Mr. Speaker, this bill will encourage a lot of $249 contributions. The last that I knew, House seats probably have $35,000-$50,000 as their upbeat standard amounts. In the national elections, to run for

Congress it's about $1 million. And to run for the Senate, it's about $3 million. They have it reporting at $200. So why would we with more *manini* elections have a higher threshold unless we're trying to hold something or keep something from the public. So $250 I think is stretching it, even if you put it in inflation and other issues. I think we're just 'out of whack' with this one. Thank you, Mr. Speaker."

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

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

"Mr. Speaker, on Stand. Com. 675-08, I am in opposition. By way of opposition, what I'd like to do is speak to the other portion of the bill that was not raised by the good Representative from the Windward side.

"My question is for a ruling on a potential conflict. I think my candidacy, my campaign will benefit from the increase of using the surplus funds for community service groups, educational groups as a type of way to use our campaign contribution funds. I am asking for a ruling," and the Chair ruled, "no conflict."

Representative Belatti continued, stating:

"Mr. Speaker, I think that this piece is, while I respect that the ruling is 'no conflict', I do believe that this is a conflict for us and that our candidacies, and our campaigns benefit from this law change. I think while organizations in the community are definitely worthy and deserving of our contributions, that money given to us for our campaigns should not be used for this purpose. That is the grounds for my opposition, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Belatti, Finnegan, Meyer, Thielen and Ward voting no, and with Representatives Cabanilla, Morita and Souki being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 676-08) recommending that H.B. No. 266, as amended in HD 1, be recommitted 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.B. No. 266, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," was recommitted to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Cabanilla, Morita and Souki being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 677-08) recommending that H.B. No. 3191, as amended in HD 1, be recommitted 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.B. No. 3191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," was recommitted to the Committee on Finance with Representatives Cabanilla, Morita and Souki being excused.

The Chair then announced:

"Members, please note the 48-hour notice for the Stand. Com. Report Nos. 678-08 and 679-08."

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 678-08) recommending that H.B. No. 2034, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 678-08 on H.B. No. 2034, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2034, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 679-08) recommending that H.B. No. 2254, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 679-08 on H.B. No. 2254, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2254, HD 2, were made available to the members of the House.

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, Morita and Souki were excused.)

STANDING COMMITTEE REPORT

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 680-08) recommending that H.B. No. 3106, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3106, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Souki being excused.

At 12:36 o'clock p.m., the Chair noted that H.B. No. 3106 passed Third Reading.

THIRD READING

H.B. No. 647, HD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 647, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Cabanilla, Morita and Souki being excused.

At 12:37 o'clock p.m., the Chair noted that H.B. No. 647, HD 2, passed Third Reading.

ANNOUNCEMENTS

Representative Rhoads: "Mr. Speaker and colleagues, I just wanted to note that today is our esteemed colleague from the 44th district's birthday. Let's give her a round of applause for making it through another year."

Representative Shimabukuro: "Thank you. I also wanted to extend an invitation to all the Members. The Legal Aid Society is having its

annual reception today in Room 329 from 4:30 to 6:00 pm. There will be food so please come."

Representative Ching: "Thank you, Mr. Speaker. I am sorry to announce today to members of the historic preservation community, as well as the overall community that the State of Hawaii has lost one of its greatest community leaders. She was someone who the Executive Director of the Hawaii Public Radio, described as, 'completely without peer.'

"Yesterday morning, Hawaii lost Nancy Bannick, who was the instrumental force behind saving Chinatown, designating it as a historic district, thereby saving it from the wrecking ball in 1973. We honored this special lady on the Floor here, but she was also well-known for being one of the instrumental leaders in saving the Natatorium, practically as it was said here in the *Honolulu Advertiser*: Single handedly, she was literally the driving force behind many organizations. And frankly, if it had not been for Nancy, perhaps one or two others, I'm not sure, there wouldn't be a Hawaii Public Radio.

"We all know her as a staunch supporter of the Honolulu Symphony. I just wanted to perhaps have a moment of silence and remember things that we sometimes take for granted, would not exist, but for sometimes the efforts of just a few special people. I'd like to ask for a moment of silence, please."

At this time, the House of Representatives stood for a moment of silence in memory of the late Ms. Nancy Bannick.

ADJOURNMENT

At 12:41 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, February 28, 2008. (Representatives Cabanilla, Morita, M. Oshiro and Souki were excused.)

TWENTY-THIRD DAY

Thursday, February 28, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:14 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Earl "Pamai" Maikahikinapamaikala Tenn of Ka 'Ohana Aloha for Tourism, after which the Roll was called showing all members present with the exception of Representatives Har, Nakasone, M. Oshiro and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth and Seventeenth Days were approved. (Representatives Har, Nakasone, M. Oshiro and Thielen were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 265) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 265, dated February 12, 2008, transmitting the State Foundation on Culture and the Arts' 2006-2007 Annual Report pursuant to Chapter 9-3.

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 23) was received and announced by the Clerk:

Sen. Com. No. 23, transmitting S.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," which passed Third Reading in the Senate on February 20, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Har, Nakasone, M. Oshiro and Thielen were excused.)

S.B. No. 2841

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 56 through 63) were received by the Clerk and were placed on file:

Dept. Com. No. 56, dated February 15, 2008, from Donna Ikeda, Chairperson, Board of Education, transmitting the Annual Report for Repair and Maintenance prepared by the Department of Education.

Dept. Com. No. 57, dated February 15, 2008, from Donna Ikeda, Chairperson, Board of Education, transmitting the Hawaii 3R's School Repair and Maintenance Fund report prepared by the Department of Education.

Dept. Com. No. 58, dated February 15, 2008, from Donna Ikeda, Chairperson, Board of Education, transmitting the Standards-Based Curriculum report prepared by the Department of Education.

Dept. Com. No. 59, dated February 15, 2008, from Donna Ikeda, Chairperson, Board of Education, transmitting the Educational Workforce Work Group report prepared by the Department of Education.

Dept. Com. No. 60, dated February 19, 2008, from David McClain, President, University of Hawai'i Systems, transmitting the Interim Report by the Hawaii Educational Policy Center on the Retention and Change in Assignment of Teachers within the Department of Education for 2008.

Dept. Com. No. 61, dated February 19, 2008, from David McClain, President, University of Hawai'i Systems, transmitting the Final Report on Making an Appropriation for Energy Efficient Transportation Strategies.

Dept. Com. No. 62, dated February 19, 2008, from Patricia Hamamoto, Superintendent, Department of Education, transmitting their list of repair and maintenance projects planned for Fiscal Year 2008-2009.

Dept. Com. No. 63, dated February 26, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunrise Analysis: Debt-Management Service Providers.

INTRODUCTIONS

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

Representative Evans introduced students from Waimea Middle School on the Big Island: 6th grade student, Alexandro Siordia; 7th grade student, Kelcy Ozaki; and 8th grade student, Dylan Sage. They were accompanied by faculty member, Ms. Patti Cook and Technology Resource Teacher, Ms. Ellen Cordeiro, as well as Senator Lorraine Inouye.

Representative B. Oshiro introduced students from Aiea Intermediate School. They were accompanied by their teachers, Ms. Melodia Tokuhara, Mr. Matthew Zitello, Mr. Alton Goo, and Ms. Trisha Wakumoto.

Representative Mizuno introduced members of the Filipino community:

Ms. Maria Etrata, President of the Primary Care Providers of Hawaii;
Ms. Medy DeLara, Secretary of the Alliance of Residential Care Administrators;
Ms. Nenita Jose, 2nd Vice President of the Alliance of Residential Care Administrators;
Ms. Mila Medallon, Editor-in-Chief of the *Fil-Am Courier* and civil rights advocate.

Representative Caldwell introduced the 3rd grade students of Noelani Elementary School. They were accompanied by their teachers, Mrs. Katie Nakamura and Ms. Kristin Nakamura; student teacher, Ms. Nikki Uechi; and parents, Mrs. Lau, Mrs. Blust, Mrs. Chun-Hoon, Mr. Uechi, Mrs. Vaughan, and Mr. Shimokawa.

Representative Caldwell also introduced Noelani 3rd grade student, Noah Kurosawa who is the grandson of former Speaker of the House, Danny Kihano.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:

2407, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2825, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary
2827, SD1	Committee on Economic Development & Business Concerns
3240, SD1	Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
2581, HD1	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
2675, HD1	Committee on Health, then to the Committee on Public Safety & Military Affairs
2794, HD1	Committee on Education, then to the Committee on Finance
2920	Committee on Consumer Protection & Commerce

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 94) was announced by the Clerk and the following action taken:

H.R. No. 94, entitled: "HOUSE RESOLUTION CONGRATULATING FIRST HAWAIIAN BANK ON THE CELEBRATORY OCCASION OF ITS 150TH ANNIVERSARY IN HAWAII," was jointly offered by Representatives Karamatsu, Awana, Belatti, Cabanilla, Caldwell, Ching, Chong, Evans, Finnegan, Hanohano, Herkes, Ito, Lee, Magaoay, Manahan, Marumoto, Mizuno, Morita, Nakasone, Nishimoto, B. Oshiro, Pine, Say, Shimabukuro, Souki, Takai, Takumi, Thielen, Tokioka, Tsuji, Waters and Yamashita.

Representative Karamatsu moved that H.R. No. 94 be adopted, seconded by Representative Chang.

Representative Karamatsu congratulated First Hawaiian Bank on its 150th anniversary and introduced the following honorees representing the Bank who were seated on the Floor of the House:

Mr. Donald G. Horner, President and Chief Executive Officer; and

Mr. Brandt G. Farias, Executive Vice President of Marketing and Communications.

Representative Chang then recognized First Hawaiian Bank and its employees for their contribution to the community.

Representative Ching further recognized and congratulated First Hawaiian Bank.

The motion was put to vote by the Chair and carried, and H.R. No. 94 was adopted with Representatives Har, McKelvey, Nakasone, M. Oshiro, Sonson and Thielen being excused.

At 12:30 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Har, Nakasone, M. Oshiro, Saiki, Sonson, Thielen and Waters were excused.)

UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 678-08) recommending that H.B. No. 2034, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2034, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I am in support of Stand. Com. Report No. 678 (HB2034, HD1).

"If the temperature is 80 degrees (common in Hawaii), the temperature inside a car receiving direct sunlight can reach 110 degrees after 5 minutes. When a child's body temperature reaches 106 degrees, he or she can die or suffer permanent disability from heat stroke. (City Prosecutors Office)

"Compelling is the testimony from Ms. Deona Ryan who provided, in relevant part, "I am testifying for one child that died in Hawaii in 2004, my daughter, Aslyn Ryan. Our little girl, Aslyn, died Feb. 7, 2004, from hyperthermia from prolonged exposure to extreme environmental conditions in a car. I ask that you help honor all the children who have died by prevention."

"A second concern is that a young child (under age of 9) left unattended in a vehicle may be at great risk for injury as he or she may touch the vehicle controls, which may also pose a great risk to others.

"HB2034 follows the same philosophy as giving a ticket to someone who does not wear his or her seat belt. People understand the inherent dangers, but it takes legislation to change such dangerous behavior.

"I ask all members to support this measure. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in strong support and I will insert written comments in the Journal. But I would like to just make one acknowledgement. In my written comments I want to acknowledge the contribution of Karl Rhoads on this issue. Several years ago he brought this issue to my attention and finally it is coming I think, to reality. So I'd like to thank him and to acknowledge the fact that he was really the person who thought of this in the first place. Thank you."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this measure.

"Many of you are too young to remember when there was no requirement for children to be in car seats or booster seats in a vehicle. In fact, there was a time when mothers held children on their laps or put them in a seat that simply hooked over the front seat—with not even a seatbelt! Over time our understanding of the danger of such practices has changed. How many children died or were seriously injured because of the lack of adequate car seats and safety restraints? Responsible adults today would not even think of having a child unsecured in a vehicle--the public has been educated about the dangers and laws have been made to address that safety concern.

"Just as many then did not understand the seriousness of having a child unrestrained in a vehicle there are many now who do not understand or who do not acknowledge the dangers of leaving children unattended in a vehicle. Leaving a child unattended in a vehicle is unsafe for the child. It is extremely important that the public be made aware of that fact. People need to understand that there can be tragic consequences, including: heat stroke/death, strangulation in a car window, injury from setting a car in motion, or abduction by a stranger.

"In 2007, media reports showed that more than 35 children were known to have died across the nation from injuries sustained by being left alone in a car. These numbers do not include those who were left in a hot car and saved just in time, or those who have suffered but have not died as a result of being left in cars. Far too many children have lost their lives or suffered when it is completely preventable.

"We cannot help but be affected by the heart-wrenching testimony of Deona Ryan, a mother whose only child died in Hawaii in 2004 as the result of being left unattended in a vehicle by a babysitter. One-year-old Aslyn Ryan suffered terribly before her death. Over a period of 48 hours, she had multiple strokes and needed continuous blood transfusions from the bleeding in her intestines, kidneys and nose. She suffered many other hypoxic and hyperthermia-related injuries. She finally lost her struggle to survive leaving grieving parents whose lives have been forever changed by this preventable death.

"This bill's purpose is to protect innocent lives by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child inside for five minutes or more and make such conduct a violation of the statewide traffic code, for which a violator may only be fined. This prohibition will provide one more tool with which the police may take concrete action to protect Hawaii's children. In addition, there is an educational component, which requires the examiner of drivers to test license applicants for knowledge of this offense. The requirements and penalties of leaving a child unattended in a motor vehicle shall be printed on a card, which shall be placed in the glove compartment of every rental motor vehicle offered to the public.

"Mr. Speaker, this bill is an example of how when we are doing the right thing, it comes to be – a similar bill is moving in the Senate and hopefully 2008 will be the year. I would like to thank all the supporters of the bill who have helped it along its many paths and multiple versions. Special thanks to Representative Karl Rhoads who brought this issue to my attention 7 years ago and to the researchers at the Legislative Reference Bureau. I urge my colleagues to support this bill."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2034, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Third Reading by a vote of 45 ayes, with Representatives Har, Nakasone, M. Oshiro, Sonson, Thielen and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 679-08) recommending that H.B. No. 2254, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2254, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to declare a potential conflict. I'm a director of Territorial Savings. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2254, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 45 ayes, with Representatives Har, Nakasone, M. Oshiro, Sonson, Thielen and Waters being excused.

At 12:38 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2034, HD 1
H.B. No. 2254, HD 2

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 681-08) recommending that S.B. No. 1526, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1526, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Har, Nakasone, M. Oshiro, Sonson, Thielen and Waters being excused.

At 12:39 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:40 o'clock p.m.

Representatives Chang and Cabanilla, for the Committee on Higher Education and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 682-08) recommending that H.B. No. 2045, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2045, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in strong support of Standing Committee Report 682-08 for House Bill 2045, Relating to Establishing a Global Youth Center. This measure that the Higher Education and International Affairs Committee heard is an extremely worthy call to

create a means for our *keiki* to develop international ties and strong personal skills which will be necessary for success in the mid to late twenty-first century.

"As Planet Earth continues to modernize through the proliferation of mass communications technology, this world grows smaller and smaller each day. Long gone are the days when, if you will pardon my expression, we could each be our own island in this world. Today, we must enable our children to see themselves as part of a global, connected community, and to do that, the Global Youth Center will serve as an important first step. I urge my colleagues to vote in strong support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2045, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 683-08) recommending that H.B. No. 2460, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2460, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 684-08) recommending that H.B. No. 2522, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2522, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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

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

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2522, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Berg, Carroll and Hanohano voting no, and with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 685-08) recommending that H.B. No. 2523, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 686-08) recommending that H.B. No. 2525, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2525, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2525, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 687-08) recommending that H.B. No. 2526, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2526, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 688-08) recommending that H.B. No. 3383, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3383, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3383, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 689-08) recommending that H.B. No. 2040, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2040, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 690-08) recommending that H.B. No. 2671, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2671, entitled: "A BILL FOR AN ACT RELATING TO A KAKAAKO MAKAI PARKING STRUCTURE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 691-08) recommending that H.B. No. 2873, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2873, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 692-08) recommending that H.B. No. 2962, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2962, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in strong support. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2962, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 693-08) recommending that H.B. No. 2966, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2966, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 694-08) recommending that H.B. No. 3037, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 695-08) recommending that H.B. No. 3038, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 696-08) recommending that H.B. No. 2894, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2894, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 697-08) recommending that H.B. No. 2656, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2656, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 698-08) recommending that H.B. No. 3305, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3305, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 699-08) recommending that H.B. No. 2692, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2692, HD 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 700-08) recommending that H.B. No. 2691, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 701-08) recommending that H.B. No. 1758, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1758, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 702-08) recommending that H.B. No. 2216, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 703-08) recommending that H.B. No. 2217, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 704-08) recommending that H.B. No. 2697, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 705-08) recommending that H.B. No. 1978, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1978, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am voting with reservations on 705. If we're going to penalize people for urinating and defecating in public, we should at least have enough restrooms for them in Downtown Honolulu. Just a mild reservation."

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

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

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

"Mr. Speaker, in support. Mr. Speaker responding to some of the previous criticisms, there are public restrooms available in the Chinatown area 24 hours a day at the police station at the corner of Smith and Hotel. During the day it's much easier to find a public restroom, but there are bathrooms open 24 hours a day. I and others have made strenuous efforts over the years to try to ensure that this is not an imposition on people who live in the area.

"The problem is that I and many of my constituents who live in Chinatown Towers have people urinating and defecating on our front steps, on the walls in front of our buildings, at the bus stops, routinely. When I go visit a foreign country I just assume it's illegal to relieve yourself in public. I think that, considering that there are

facilities available, this is a perfectly rational and humane bill. Mahalo."

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

"Thank you. I am in support and I ask that the words of the Representative of Chinatown be incorporated as my own. I'd like to add that this has been a long-standing request of the 'mom and pop' businesses of Chinatown. And it's a health and safety issue as well. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I rise a second time with a brief retort. Being that this will make permanent what otherwise was part of the law of the land, so to speak. If they're still defecating in the bus stops and the door steps, how is making this permanent going to prevent it? That's the conundrum here."

Representative Meyer rose to respond, stating:

"I guess I need to explain my no vote. It's just that we're not quite making them criminals, but I guess in some ways we are. But the real truth, we're not providing enough adequate places for people to handle these bodily functions. And you know, when nature calls for a lot of people, I mean you're in a real fix. That's something I wouldn't want.

"There are other cities that have handled this in a far better way than we're doing here. In San Francisco, they actually have public bathrooms that you pay to go into for a very nominal amount. I went into one and it wasn't bad. I was certainly happy it was there. There are lots of businesses now that won't let you use their bathroom facilities. This is kind of like, 'What are we thinking?' This is something that people have to do, and many people as they get older have to do it more frequently. So if you're finding this kind of litter around, it says there's a need for something and we're not filling the need."

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

"Mr. Speaker, I am standing in support. The only reservation I would have if any on this bill, is that it doesn't go far enough. It should include more of the primary core area of Honolulu. And although we may need to provide more facilities, part of the reason that we haven't constructed more on the City level is because they get destroyed by vandalism and other vagrancies. So I think this is a step in the right direction. We should expand it and then we should look into the possibility of more facilities like these. Thank you."

Representative Evans rose to respond, stating:

"Thank you. With reservations again, but I'd like to say a few words. As a Neighbor Island legislator, I fly in to the airport and I take the City bus into Downtown. When you get close to Downtown you start noticing the homeless, and you start noticing that we have a problem in Downtown Honolulu.

"My reservation is that I feel that maybe as State legislators we're actually taking on an issue that should be dealt with at the county level. This is really a homerule issue right now. There is truly an issue of homelessness and people on the streets in Downtown that might be defecating and urinating.

"The other side of course is that we have visitors and we invite our visitors to come down to Chinatown and the Capitol historic district. And so you have two groups that obviously are going to have to have their physical needs dealt with and it's truly a problem. I understand why the bill is here. I understand why the previous legislators who support it, support it. But I'm just with reservations because really I think the City and County of Honolulu should be looking at this issue. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Second Reading, and was placed on the calendar for Third Reading with Representative Meyer voting no, and with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 706-08) recommending that H.B. No. 2730, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 707-08) recommending that H.B. No. 3013, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3013, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

"Mr. Speaker, a no vote with comments in the Journal as to why this is not good for Hawaii. I believe if people on the other side of the aisle saw how small Hawaii is in a stream of very highly contested primaries really made a difference. This bill would take away that small-state advantage. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my opposition to House Bill 3013, which would amend the Hawaii Revised Statutes by enacting an agreement among states to elect the President of the United States by National Popular Vote. House Bill 3013 would cripple our State's role in national politics by undermining the Electoral College. The Electoral College system was purposely created by the Founding Fathers to give smaller states a weighted role in presidential elections. Measures such as this bill appear to be nothing but a knee-jerk reaction to Al Gore losing the Presidency despite winning the popular vote.

"The Electoral College benefits Hawaii in at least two important ways. First, presidential candidates cannot ignore the concerns of small states. We have already seen candidates campaigning in smaller states such as West Virginia, New Hampshire, and Iowa because electoral votes matter. A national vote simply means that Hawaii would be ignored because it represents so little of the national population. Second, a presidential candidate must appeal to many regions of the country in order to win the presidency. No one region of the country possesses a majority of the electoral votes necessary to win, not the West or the South, or the East. A national vote will drive candidates to population centers, and in that case, there are regions which could come to dominate. A national vote

disenfranchises Hawaii, and all things being equal, I'd prefer to have our votes count.

"Thank you for this opportunity to offer my opposition to this measure."

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

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3013, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Ching, Finnegan, McKelvey, Meyer, Pine and Ward voting no, and with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 708-08) recommending that H.B. No. 1968, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1968, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 709-08) recommending that H.B. No. 2138, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2138, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I am in support of Stand. Comm. Report No. 709 (HB2138, HD1).

"By 2020 at least one in four individuals is expected to be 60 years or older in Hawaii. Caregiving has become a critical element of our healthcare system and our caregivers are essential to our Kupuna.

"So important are caregivers, that the Director for the State Executive Office on Aging has stated that, "Cargivers are the backbone of our long-term care system. Caregivers in Hawaii should be recognized, supported and valued by the community."

"I should note that both family caregivers and formal caregivers provide care for our disabled and frail elderly population without recognition and many times without compensation.

"Establishing a Caregiver Recognition Day will create public visibility to the value of informal caregiving and increase awareness of the need to support the need of caregivers. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 710-08) recommending that H.B. No. 2355, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2355, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like to ask for a ruling on a potential conflict. I live on one of these agricultural subdivisions that is affected by the measure," and the Chair ruled, "no conflict."

Representative McKelvey continued in support of the measure, stating:

"Okay, in which case, it's a good bill."

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

"With reservations, Mr. Speaker. These gentleman farms are really lifestyle choices. They shouldn't be agriculture, they should be rural. We should make ways to convert them quickly to rural.

"The other problem is that some of the older farmers die off and the families take over these agricultural lots. They don't want to farm, but they don't want to give up that land. So we need to find a way to convert those to rural."

Representative Sagum rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise with reservations to HB 2355, HD1: Relating to Wells.

"While the intention of the bill to place a moratorium of the issuance of permits for the construction of wells intended to serve agricultural land parcels that are likely to be 'fake farms' or 'gentlemen estates' is honorable, the bill may have unintended consequences since potable wells for all zoning districts are generally drilled on *mauka* lands which are classified as 'agricultural' or 'conservation.'

"As the Commission on Water Resource Management of the Department of Land and Natural Resources testified, 'This is clearly a land use issue that should not be addressed through the Commission on Water Resource Management and the State Water Code.'

"I too, believe, there are alternative, better ways to address the issue of preventing fake farms or gentlemen estates. Thank you, Mr. Speaker."

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

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

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WELLS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

At this time, the Chair stated:

"Members of the House, these measures are for Second Reading, and will be placed on the Calendar for Third Reading. For those individual members who are submitting the written comments, there will be no need for you to submit written comments on Third Reading. Does everyone understand that? It's just duplicating the printing of our House Journal with a number of written comments in support or in opposition.

"So for those who have submitted written comments on Second Reading, there is no need to submit them again for Third Reading, but you can stand up and state your reservation once more, or your opposition or support."

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 711-08) recommending that H.B. No. 2361, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.B. No. 2361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 712-08) recommending that H.B. No. 2243, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 713-08) recommending that H.B. No. 1975, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1975, HD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker on 713, may I have written comments in strong support? Then I won't do anything on Third Reading. It's very important."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 1975. As a member of the International Affairs Committee and a proponent of strengthening Hawaii's ties to Asia, I strongly support HB1975.

"Hawaii is the perfect location to be the launching pad to Asia, making a legislative protocol fund for international affairs essential. Our close cultural ties with Asian countries give us the opportunity, as well as the responsibility of extending our Aloha to visiting dignitaries.

"Thank you for allowing me the opportunity to testify in support of this very important measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1975, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 714-08) recommending that H.B. No. 2874, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2874, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on Stand. Com. No. 714, with reservations. Just a comment. I may be misinterpreting this, but from what I'm told, this State Park Special Fund is very dependent on the funding that comes into the parks from Kauai, as well as Diamond Head.

"My reservation is that we're moving right now as a body into the funds that come to the park, to stay with the park. But what that's going to do is take the money out of the special funds so Hapuna Beach State Park on the Big Island, which has so much use and abuse because there's so many visitors that go to Hapuna Beach, actually a lot of that money to take care of that park comes out of the special funds. So what this is going to do is remove money from all those other State parks across the State.

"We need to find, as a legislative body, not that I don't support the intent of this, but we have got to find a way to put money in the State Park Fund, and this measure as a matter of fact will remove money from the State Park Fund. So we're going to have to come up with

how we're going to provide revenues into the special fund that will affect all those other State parks across the State. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 715-08) recommending that H.B. No. 2956, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2956, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2956, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 716-08) recommending that H.B. No. 3340, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 717-08) recommending that H.B. No. 2611, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 718-08) recommending that H.B. No. 2408, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2408, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

"In strong support, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 719-08) recommending that H.B. No. 2591, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representatives Ito and Shimabukuro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 720-08) recommending that H.B. No. 2732, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2732, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2732, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 721-08) recommending that H.B. No. 2204, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2204, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 722-08) recommending that H.B. No. 2391, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2391, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL SERVICE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 723-08) recommending that H.B. No. 2476, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 724-08) recommending that H.B. No. 2557, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 725-08) recommending that H.B. No. 2729, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2729, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 726-08) recommending that H.B. No. 3002, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 727-08) recommending that H.B. No. 3040, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 728-08) recommending that H.B. No. 3041, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 729-08) recommending that H.B. No. 3355, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3355, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Har, Nakasone, Sonson and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 730-08) recommending that H.B. No. 2165, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 731-08) recommending that H.B. No. 2169, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 732-08) recommending that H.B. No. 2428, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2428, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 733-08) recommending that H.B. No. 2524, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2524, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 734-08) recommending that H.B. No. 3325, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3325, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 735-08) recommending that H.B. No. 3249, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3249, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, with reservations. I spoke in Committee and I voted with reservations. I just want to point out that there were some pictures on signs for parking and bikeways, and it was just a sign. My biggest concern is people that are not from Oahu that come and visit, may not understand that.

"What I saw in the sign was that maybe this is where bicyclists like to go down this road. The same could be for historic corridors or scenic drives. It looked like maybe bicycles would be using the road. I didn't realize that they are prohibited to park there. In fact, it wasn't even paved. It looked like it was a shoulder and bikes could ride on the shoulder.

"So I'm just concerned that visitors aren't really going to understand some of our signage for bikeways. They may get ticketed basically because they don't understand."

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

"Mr. Speaker, I rise in opposition on this matter for a few reasons. First of all, I think the fine that is up to $500 is too exorbitant and is too expensive for our citizens.

"Secondly, although the intent of the bill is good, we don't have enough parking for our cars. This will really decrease the amount of parking that we have, especially around our beaches.

"And third, we won't have enough signage to warn people not to park there. I think there's a City ordinance that if you're going to prohibit parking on a certain street, that you have to have signs every so many feet thereof. So in addition to the signage that we have now, we're going to have to add more signs to this.

"I think this measure, even though it's a good measure, I think it's kind of premature because right now we have a lot of bikeways in Ewa Beach and I don't see any people using them. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3249, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 736-08) recommending that H.B. No. 2847, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2847, pass Third Reading, seconded by Representative B. Oshiro.

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

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in opposition to H.B. 2847 – Relating to Conditional License Permits, which would allow a conditional license permit to be issued to someone to drive to assist in the care of another person who is unable to drive due to that person's age, disability or medical condition.

"First, this bill allows someone the opportunity to get behind the wheel despite the fact that they have had their driver's license revoked for driving under the influence. There should be consequences for drinking and driving. This bill would erode the law against drinking and driving and may jeopardize public safety.

"Second, a disabled person should only get transportation from someone that has not had their license revoked for driving under the influence. While a disabled person has special needs, this does not change the fact that those needs would best be served by someone that has good judgment, rather than someone with a suspended license for breaking the law.

"Third, this bill places a heavy burden on the Judiciary, because of the large number of applications, hearings and paperwork that will be generated. The Judiciary should be given more time to prepare for changes of this magnitude."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2847, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," passed Third Reading by a vote of 42 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Pine voting no, and with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 737-08) recommending that H.B. No. 3343, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3343, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"In strong support, Mr. Speaker. Thank you."

Representative Manahan rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"The purpose of this bill is to officially commemorate and recognize the contributions of Filipino-Americans to the State and the nation by designating the month of October as Filipino-American History Month.

"The Legislature finds that the writings and teachings of American history have often overlooked the historical role of Asian-Americans, including the role of Filipino-Americans, whose heritage spans a colonial, political, economic, and cultural relationship with the United States. The Legislature also finds that the earliest documented presence of Filipinos in America was in 1587 in California and a settlement on the bayous of Louisiana in 1763, when seamen, later called Manilamen, jumped ship during the Spanish galleon trade era.

"Subsequent waves of migration followed and today Filipino-Americans continue to make a lasting impact on the history and heritage of Hawaii and the United States.

"The Legislature further finds that there have also been critical economic, cultural, social, and other notable contributions by Filipino-Americans to the development of United States history. The Legislature further finds that the prominence of Hawaii's Filipino and Filipino-American population warrants an official commemoration of the history and heritage of Filipino-Americans.

"The State of Hawaii is home to the second largest Filipino Community in the United States and possibly the world. Should this measure pass, we would be the first congress in the nation to pass this landmark legislation, thereby establishing Hawaii's critical role and sense of place within the global Filipino Community.

"The Hawaii Civil Rights Commission, Mayor of the City and County of Honolulu, Philippine Nurses Association Hawaii, Filipino-American Historical Society of Hawaii, Filipino American Citizens League, National Federation of Filipino American Associations, Oahu Filipino Community Council, United Filipino Council of Hawaii, Filipino Coalition for Solidarity, and Nursing Advocates & Mentors, Inc. all supported this bill."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support House Bill 3343 which designates the month of October as Filipino-American History Month to commemorate the contributions of Filipino-Americans. Not long after our State's Filipino Centennial Celebration, this measure officially recognizes the need to preserve, enhance and promote an appreciation of Filipino heritage and the experiences of Filipino-Americans in Hawaii and the United States."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of House Bill 3343, HD 1. Mr. Speaker, this bill designates the month of October to annually commemorate the contributions of Filipino-Americans to Hawaii and the United States.

"Mr. Speaker, from the "sakadas" who first arrived in 1906, to labor leaders like Pablo Manlapit and Carl Damaso who collaborated with other ethnic unions against oppressive conditions, Filipinos have made a positive and lasting impact upon these islands.

"During times of war, hate crimes, and anti-immigrant sentiments from the halls of our U.S. Congress to the Streets across America, and in the media, Filipino American Heritage Month can counter racism and social injustice with an enrichment of historical facts and universal lessons learned in overcoming adversity. Such are the tools of a civil society. Hawaii's Filipino community is ready to do their share to be good stewards for the common good.

"Designating the month of October as Filipino-American History Month is a worthwhile endeavor and will foster goodwill and critical thinking amongst Hawaii's citizens at all levels of society. Research shows that building the capacity of ethnic pride and diversified competency fosters improved school performance and a productive, versatile labor force. Making education relevant to a child's life is the key to developing a positive identity, an ethical and compassionate character, and a foundation for civic engagement to uphold civil rights for all.

"Mr. Speaker, as Chair for the Filipino Caucus, I strongly urge my colleagues to support this measure. Thank you, Mr. Speaker."

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 3343, HD1: Relating to Filipino-American History Month.

"The bill proposes to designate October as Filipino-American History month in Hawaii, in order to commemorate the contributions of Filipino-Americans to the history and heritage of Hawaii and the United States of America.

"It is my hope that in one of these months, my grandfather, Roland D. Sagum, will be honored for his contributions as he served as a major in the Honolulu Police Department, a member of the Police Commission and first president of the United Filipino Council of Hawaii and was active in many other civic organizations. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in support of H.B. 3343 – Relating to the Commemoration of Filipino-American History Month, which designates the month of October as Filipino-American History Month to annually commemorate the contributions of Filipino-Americans to Hawaii and the United States.

"Filipino-American Month is about contributing lessons learned from Filipino history for the benefit of all. The Filipinos and Filipino Americans of Hawai'i comprise a significant portion of the State's population. Since 1906 they have significantly contributed to Hawai'i's work force, in addition to their committed service in the United States Armed Forces. Designating a month to commemorate their contributions to the socio-economic, historical and cultural welfare of the State will truly contribute to the self-esteem and civic sense of responsibility for Filipinos in our State."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support.

"I support House Bill 3343, House draft 1, which would designate the month of October as Filipino-American History Month to commemorate the contributions of Filipino-Americans to Hawaii and the United States. It is important that we recognize the economic, cultural, and social contributions by Filipino-Americans to the development of Hawaii and United States history.

"Thank you."

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

"In support and I'd like to use the words of everyone's written comments as my own."

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

"In strong support, but with no written comments."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 738-08) recommending that H.B. No. 2517, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2517, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 739-08) recommending that H.B. No. 2263, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2263, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 46 ayes, with Representatives Har, Nakasone, Sonson, Thielen and Waters being excused.

At 1:08 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2165
H.B. No. 2169, HD 1
H.B. No. 2428
H.B. No. 2524
H.B. No. 3325, HD 2
H.B. No. 3249, HD 1
H.B. No. 2847
H.B. No. 3343, HD 1
H.B. No. 2517, HD 1
H.B. No. 2263

At 1:08 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:11 o'clock p.m.

At 1:11 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:51 o'clock p.m.

THIRD READING

H.B. No. 2455, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2455, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was recommitted to the Committee on Judiciary with Representatives Har, Ito, Karamatsu, Magaoay, Nakasone, Sonson and Thielen being excused.

H.B. No. 2602, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2602, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," was recommitted to the Committee on Judiciary with Representatives Har, Ito, Karamatsu, Magaoay, Nakasone, Sonson and Thielen being excused.

H.B. No. 2486:

Representative Caldwell moved that H.B. No. 2486, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative McKelvey's written remarks are as follows:

"Mr. Speaker, I rise in strong support of the measure. This bill Mr. Speaker, would require that a private or public owner of a historic building provide archival quality black and white photographs of the building to the Department of Land and Natural Resources, as a condition of receiving a permit or approval to demolish, construct, or otherwise alter that building.

"This bill is important Mr. Speaker, because many new landowners from the Mainland are coming in and after taking over these historical buildings are altering them radically or in certain extreme cases demolishing them for a brand new modern building. While we in Lahaina are fortunate enough to have a national historical designation so that there are safeguards to protect these buildings, in most other areas of Hawaii there are no such considerations. Once these buildings are removed or altered, their historical significance and character are lost forever.

"Many of your children and grandchildren will never know the beauty and significance of these buildings, and even more troubling the architectural designs and influences will never be able to be studied and used by future architects. By having these photos of the buildings we can ensure that future generations will be able to appreciate these fine structures, and more importantly they can be studied and used in modern designs by future architects, thus tying our rich past in with the modern future."

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

"In strong support. Thank you."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I am in strong support of HB 2486 which would require photo documentation of historic buildings prior to demolition or alteration.

"While not all historic buildings have the level of significance or integrity that would necessitate complete preservation or restoration of aging buildings, it is important to have a lasting record of Hawai'i's historic buildings. Archival-quality documentation is instrumental for future study, understanding of the context of the site, historical analysis or architectural record. Furthermore, as the Historic Hawai'i Foundation has noted, best practices in preservation have already established the technical specifications that should be used for the photo-documentation and many such photographs are housed with the State Historic Preservation Division."

The motion was put to vote by the Chair and carried, and H.B. No. 2486, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 46 ayes, with Representatives Har, Karamatsu, Nakasone, Sonson and Thielen being excused.

H.B. No. 2409:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2409, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," passed Third Reading by a vote of 46 ayes, with Representatives Har, Karamatsu, Nakasone, Sonson and Thielen being excused.

At 1:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2486
H.B. No. 2409

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 67 through 93) and concurrent resolutions (H.C.R. Nos. 83 through 111) were referred to Printing and further action was deferred:

H.R. No. 67, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was offered by Representative Hanohano, by request.

H.R. No. 68, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO DECLARE NOVEMBER 2008 AS DOMESTIC HARMONY AWARENESS MONTH," was offered by Representative Hanohano, by request.

H.R. No. 69, entitled: "HOUSE RESOLUTION URGING HAWAII'S SUPERDELEGATES TO THE 2008 DEMOCRATIC NATIONAL CONVENTION TO REFLECT THE APPROXIMATE RATIO OF EACH PRESIDENTIAL CANDIDATE'S SHARE OF VOTES AT THE DEMOCRATIC PARTY OF HAWAII'S PRESIDENTIAL PREFERENCE POLL ON FEBRUARY 19, 2008," was jointly offered by Representatives Brower, Awana, Belatti, Carroll, Chong, Herkes, Magaoay, Manahan, Mizuno, B. Oshiro, M. Oshiro, Say, Sonson, Takai, Berg, Bertram, Chang, Evans, Green, Hanohano, Ito, Karamatsu, McKelvey, Morita, Nakasone, Rhoads, Sagum, Shimabukuro, Takamine, Takumi, Tokioka, Tsuji, Waters, Yamane and Yamashita.

H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was offered by Representative Takumi.

H.R. No. 71, entitled: "HOUSE RESOLUTION STRONGLY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO CONFER PRIORITY STATUS TO CHILDREN BORN TO DEPARTMENT OF DEFENSE PERSONNEL AND FOREIGN WOMEN DURING AND UP TO NINE MONTHS AFTER DEPLOYMENT IN ORDER TO FACILITATE AND EXPEDITE THE IMMIGRATION OF THESE CHILDREN AND WOMEN TO THE UNITED STATES," was offered by Representative Takumi.

H.R. No. 72, entitled: "HOUSE RESOLUTION RECOGNIZING AND ACKNOWLEDGING SEPTEMBER 2ND OF EVERY YEAR AS QUEEN LILIU`OKALANI'S BIRTHDAY IN THE STATE OF HAWAII, A NON-STATE HOLIDAY, AND COMMEMORATING QUEEN LILIU`OKALANI FOR HER OUTSTANDING COURAGE AND DEDICATION TO HER PEOPLE IN THE FACE OF OPPRESSION," was jointly offered by Representatives Berg, Brower, Evans, Hanohano, Karamatsu, Takumi and Ching.

H.R. No. 73, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET," was jointly offered by Representatives Mizuno, Awana, Brower and Hanohano.

H.R. No. 74, entitled: "HOUSE RESOLUTION RECOGNIZING JULY AS RELIGIOUS FREEDOM MONTH IN HAWAII," was jointly offered by Representatives Mizuno and Awana.

H.R. No. 75, entitled: "HOUSE RESOLUTION ENCOURAGING PARTICIPATION IN THE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Awana, Brower, Green, Hanohano, Belatti, Caldwell, Magaoay, Meyer and Waters.

H.R. No. 76, entitled: "HOUSE RESOLUTION URGING THE STATE AND COUNTIES TO INCREASE RECYCLING, ENCOURAGE THE GROWTH OF INNOVATIVE RECYCLING INDUSTRIES, AND PROCURE RECYCLED PRODUCTS," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Magaoay and Meyer.

H.R. No. 77, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO CONDUCT A COMPREHENSIVE STUDY AND COST REVIEW OF ADULT RESIDENTIAL CARE HOME SERVICES IN HAWAII, INCLUDING THE ACTUAL COSTS INCURRED TO OPERATE AN ADULT RESIDENTIAL CARE HOME," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay and Brower.

H.R. No. 78, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN AND TISSUE DONATION IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.R. No. 79, entitled: "HOUSE RESOLUTION URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH," was jointly offered by Representatives Mizuno, Hanohano and Magaoay.

H.R. No. 80, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT HOW COUNSELING COVERAGE COULD BE PROVIDED TO ALL MEDICAID BENEFICIARIES WISHING TO QUIT SMOKING," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay and Brower.

H.R. No. 81, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A PUBLIC AWARENESS CAMPAIGN FOR THE QUEST-ACE HEALTH INSURANCE PROGRAM," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.R. No. 82, entitled: "HOUSE RESOLUTION RECOGNIZING AND COMMENDING THOSE WHO PROVIDE SUPPORT TO THE FAMILIES OF DEPLOYED MEMBERS OF THE ARMED FORCES," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.R. No. 83, entitled: "HOUSE RESOLUTION RECOGNIZING PATSY TAKEMOTO MINK FOR CHAMPIONING THE CAUSE OF EQUITY IN ATHLETICS AND EDUCATION ON BEHALF OF ALL WOMEN IN THE UNITED STATES," was offered by Representative Mizuno.

H.R. No. 84, entitled: "HOUSE RESOLUTION URGING EACH COUNTY NOT TO ISSUE ANY PERMIT OR SPECIAL PERMIT FOR ANY RESIDENTIAL OR COMMERCIAL DEVELOPMENT OF ANY WETLAND OR TIDAL AREA WITHIN ONE HUNDRED FEET OF THE SHORELINE UNLESS THE COUNTY FIRST SOLICITS PUBLIC INPUT AT A PUBLIC INFORMATIONAL MEETING," was jointly offered by Representatives Carroll, Hanohano, Manahan, Chong, Har, Karamatsu, Magaoay and Sagum.

H.R. No. 85, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Mizuno, Awana, Brower, Cabanilla and Meyer.

H.R. No. 86, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE SECRETARY OF HOMELAND SECURITY TO INCLUDE THE REPUBLIC OF KOREA IN THE VISA WAIVER PROGRAM," was offered by Representative Cabanilla.

H.R. No. 87, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR AND THE DIRECTOR OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU AND OAHU TRANSIT SERVICES, INC., TO CONSIDER ADDING AN ADDITIONAL BUS STOP ON FARRINGTON HIGHWAY FRONTING MOUNTAINSIDE OF THE HAWAII MEDICAL CENTER WEST ON FARRINGTON HIGHWAY," was offered by Representative Cabanilla.

H.R. No. 88, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO INSTITUTE A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES," was jointly offered by Representatives Brower, Cabanilla, Caldwell, Hanohano, Herkes, Lee, Mizuno, Rhoads, Shimabukuro, Wakai, Chong, Ito, Karamatsu, Magaoay and Tsuji.

H.R. No. 89, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR OF HONOLULU, COUNTY REFUSE DIVISION, AND ALL OTHER RELEVANT STAKEHOLDERS TO TAKE ALL NECESSARY MEASURES TO CURTAIL THE PROLIFERATION OF GROCERY CART SETTLEMENTS," was offered by Representative Cabanilla, by request.

H.R. No. 90, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND CONSUMPTION OF PHTHALATES, BISPHENOL-A, AND ASPARTAME IN CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN," was jointly offered by Representatives Green and Mizuno.

H.R. No. 91, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION PROVIDING VETERANS BENEFITS TO FILIPINO VETERANS WHO SERVED OUR NATION IN WORLD WAR II," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay, Sagum and Tokioka.

H.R. No. 92, entitled: "HOUSE RESOLUTION RECOGNIZING OCTOBER 2008 AS DOMESTIC VIOLENCE AWARENESS MONTH," was jointly offered by Representatives Mizuno, Awana, Lee, Magaoay and Sagum.

H.R. No. 93, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION SUPPORTING INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was jointly offered by Representatives Awana, Brower, Hanohano, Mizuno, Shimabukuro, Sonson and Rhoads.

H.C.R. No. 83, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was offered by Representative Hanohano, by request.

H.C.R. No. 84, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DECLARE NOVEMBER 2008 AS DOMESTIC HARMONY AWARENESS MONTH," was offered by Representative Hanohano, by request.

H.C.R. No. 85, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S SUPERDELEGATES TO THE 2008 DEMOCRATIC NATIONAL CONVENTION TO REFLECT THE APPROXIMATE RATIO OF EACH PRESIDENTIAL CANDIDATE'S SHARE OF VOTES AT THE DEMOCRATIC PARTY OF HAWAII'S PRESIDENTIAL PREFERENCE POLL ON FEBRUARY 19, 2008," was jointly offered by Representatives Brower, Awana, Belatti, Carroll, Chong, Green, Herkes, Magaoay, Manahan, Mizuno, B. Oshiro, M. Oshiro, Say, Sonson, Takai, Berg, Bertram, Chang, Evans, Hanohano, Ito, Karamatsu, McKelvey, Morita, Rhoads, Sagum, Shimabukuro, Takamine, Takumi, Tokioka, Waters, Yamane and Yamashita.

H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was offered by Representative Takumi.

H.C.R. No. 87, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO CONFER PRIORITY STATUS TO CHILDREN BORN TO DEPARTMENT OF DEFENSE PERSONNEL AND FOREIGN WOMEN DURING AND UP TO NINE MONTHS AFTER DEPLOYMENT IN ORDER TO FACILITATE AND EXPEDITE THE IMMIGRATION OF THESE CHILDREN AND WOMEN TO THE UNITED STATES," was offered by Representative Takumi.

H.C.R. No. 88, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND ACKNOWLEDGING SEPTEMBER 2ND OF EVERY YEAR AS QUEEN LILIU`OKALANI'S BIRTHDAY IN THE STATE OF HAWAII, A NON-STATE HOLIDAY, AND COMMEMORATING QUEEN LILIU`OKALANI FOR HER OUTSTANDING COURAGE AND DEDICATION TO HER PEOPLE IN THE FACE OF OPPRESSION," was jointly offered by Representatives Berg, Brower, Evans, Hanohano, Karamatsu, Takumi and Ching.

H.C.R. No. 89, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF LICENSURE OF INTERIOR DESIGNERS," was offered by Representative Luke.

H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT," was jointly offered by Representatives Luke, Cabanilla and Har.

H.C.R. No. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET," was jointly offered by Representatives Mizuno, Awana, Brower and Hanohano.

H.C.R. No. 92, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING JULY AS RELIGIOUS FREEDOM MONTH IN HAWAII," was jointly offered by Representatives Mizuno and Awana.

H.C.R. No. 93, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was jointly offered by Representatives Mizuno, Awana, Brower, Green, Hanohano, Belatti, Caldwell, Magaoay, Meyer and Waters.

H.C.R. No. 94, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE STATE AND COUNTIES TO INCREASE RECYCLING, ENCOURAGE THE GROWTH OF INNOVATIVE RECYCLING INDUSTRIES, AND PROCURE RECYCLED PRODUCTS," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano, Magaoay and Meyer.

H.C.R. No. 95, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONDUCT A COMPREHENSIVE STUDY AND COST REVIEW OF ADULT RESIDENTIAL CARE HOME SERVICES IN HAWAII, INCLUDING THE ACTUAL COSTS INCURRED TO OPERATE AN ADULT RESIDENTIAL CARE HOME," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay and Brower.

H.C.R. No. 96, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO COLLABORATE WITH THE ORGAN DONOR CENTER OF HAWAII TO INCREASE AWARENESS OF THE BENEFITS OF ORGAN AND TISSUE DONATION IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.C.R. No. 97, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH," was jointly offered by Representatives Mizuno, Hanohano and Magaoay.

H.C.R. No. 98, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT HOW COUNSELING COVERAGE COULD BE PROVIDED TO ALL MEDICAID BENEFICIARIES WISHING TO QUIT SMOKING," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay and Brower.

H.C.R. No. 99, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO CONDUCT A PUBLIC AWARENESS CAMPAIGN FOR THE QUEST-ACE HEALTH INSURANCE PROGRAM," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.C.R. No. 100, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THOSE WHO PROVIDE SUPPORT TO THE FAMILIES OF DEPLOYED MEMBERS OF THE ARMED FORCES," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Magaoay.

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING PATSY TAKEMOTO MINK FOR CHAMPIONING THE CAUSE OF EQUITY IN ATHLETICS AND EDUCATION ON BEHALF OF ALL WOMEN IN THE UNITED STATES," was offered by Representative Mizuno.

H.C.R. No. 102, entitled: "HOUSE CONCURRENT RESOLUTION URGING EACH COUNTY NOT TO ISSUE ANY PERMIT OR SPECIAL PERMIT FOR ANY RESIDENTIAL OR COMMERCIAL DEVELOPMENT OF ANY WETLAND OR TIDAL AREA WITHIN ONE HUNDRED FEET OF THE SHORELINE UNLESS THE COUNTY FIRST SOLICITS PUBLIC INPUT AT A PUBLIC INFORMATIONAL MEETING," was jointly offered by Representatives Carroll, Hanohano, Manahan, Chong, Har, Karamatsu, Magaoay and Sagum.

H.C.R. No. 103, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was jointly offered by Representatives Mizuno, Awana, Brower, Cabanilla and Meyer.

H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE SECRETARY OF HOMELAND SECURITY TO INCLUDE THE REPUBLIC OF KOREA IN THE VISA WAIVER PROGRAM," was offered by Representative Cabanilla.

H.C.R. No. 105, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND THE DIRECTOR OF TRANSPORTATION SERVICES OF THE CITY AND COUNTY OF HONOLULU AND OAHU TRANSIT SERVICES, INC., TO CONSIDER ADDING AN ADDITIONAL BUS STOP ON FARRINGTON HIGHWAY FRONTING MOUNTAINSIDE OF THE HAWAII MEDICAL CENTER WEST ON FARRINGTON HIGHWAY," was offered by Representative Cabanilla.

H.C.R. No. 106, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO INSTITUTE A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES," was jointly offered by Representatives Brower, Cabanilla, Caldwell, Hanohano, Herkes, Lee, Mizuno, Rhoads, Shimabukuro, Wakai, Awana, Chong, Ito, Karamatsu, Magaoay and Tsuji.

H.C.R. No. 107, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR OF HONOLULU, COUNTY REFUSE DIVISION, AND ALL OTHER RELEVANT STAKEHOLDERS TO TAKE ALL NECESSARY MEASURES TO CURTAIL THE PROLIFERATION OF GROCERY CART SETTLEMENTS," was offered by Representative Cabanilla, by request.

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND CONSUMPTION OF PHTHALATES, BISPHENOL-A, AND ASPARTAME IN CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN," was jointly offered by Representatives Green and Mizuno.

H.C.R. No. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION PROVIDING VETERANS BENEFITS TO FILIPINO VETERANS WHO SERVED OUR NATION IN WORLD WAR II," was jointly offered by Representatives Mizuno, Awana, Hanohano, Magaoay, Sagum and Tokioka.

H.C.R. No. 110, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING OCTOBER 2008 AS DOMESTIC VIOLENCE AWARENESS MONTH," was jointly offered by Representatives Mizuno, Awana, Lee, Magaoay and Sagum.

H.C.R. No. 111, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION SUPPORTING INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was jointly offered by Representatives Awana, Brower, Hanohano, Mizuno, Shimabukuro, Sonson and Rhoads.

ANNOUNCEMENTS

Representative Evans, for the Committee on Public Safety, requested a waiver of the 48-hour advanced notice requirement to hear H.B. No. 2675, HD 1, Relating to Medical Marijuana on Friday, February 29th in Conference Room 309 at 2:15 p.m., and the Chair 'So ordered.'

Representative Evans: "We had submitted our hearing notice, but realized we had to get three signatures from three Chairs because we were holding it at the same time they were holding it. We actually got it filed with two days notice, but we just missed that 48 hours. Thank you."

Representative Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement to hear the following measures with decision making to follow, today in Conference Room 308 at 4:15 p.m., and the Chair 'So ordered.'

H.B. No. 1998, H.D. 1, Relating to Macadamia Nuts,
H.B. No. 2581, H.D. 1, Relating to Long-term Care Facilities,
H.B. No. 3440, H.D. 1, Relating to the Island of Niihau,
H.B. No. 2693, Relating to the Judicial Selection Commission,
H.B. No. 3174, Relating to Federal Fisheries Regulations,
H.B. No. 2897, H.D. 1, Making an Appropriation for Asset Building,
H.B. No. 3358, H.D. 1, Relating to High-Technology,
H.B. No. 3279, Relating to the Hawaii United Okinawa Association,
H.B. No. 2186, H.D. 1, Relating to Education,
H.B. No. 1616, Relating to Aquaculture, and
H.B. No. 2366, Relating to the Organ Donor Registry.

For decision making only:
H.B. No. 2504, H.D. 1, Relating to Lighting, and
H.B. No. 2509, Relating to Electronic Device Recycling.

Representative Cabanilla: "Mr. Speaker and my colleagues, I would like to invite you tomorrow to a lunch reception for the French President tomorrow at 11:30 in Room 312. Your Committee on International Affairs will be hosting a reception to honor the marriage of President Nicolas Sarkozy of France to Carla Bruni. The French Honorary Council and distinguished members of the French community are invited, so I would like to see you there tomorrow. Thank you, Mr. Speaker."

Representative B. Oshiro: "Mr. Speaker, I'd just like to remind the members on the Committee on Judiciary that we have a decision-making only for one bill at 2:50 p.m. in Room 325. Thank you."

At 1:57 o'clock p.m., Representative Waters requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:58 o'clock p.m.

Representative Tokioka: "Thank you, Mr. Speaker. It is with great sadness that I make this announcement to all of our colleagues this afternoon. Our Representative from the fastest growing city in the State of Hawaii, her father, Dr. Chester Har passed away this morning at 4:30 a.m. Mr. Speaker, I'd like to ask the Members if we could all have a moment of silence for Dr. Chester Har.

"For the many of you who have met him, and I know many of you in this building have, you would know how much of a brilliant man he was. And I know in speaking to Representative Karamatsu last night, he just brought a whole lot of passion into this building. He was here for the last two Opening Days. The Representative from Honolulu, as people would say, and the Representative from Kauai were sharing the story about how even through the difficulties of his cancer, he was always upbeat and very, very willing to share and discuss the issues of this community and this State with all of us.

"So it is with deep sadness that I say this and I know all of our prayers will be with Representative Har and her family right now. Thank you, Mr. Speaker."

Representative Chang: "Mr. Speaker and Members, on Monday morning we lost one of our most beautiful voices of Hawaii. I would like to ask if we could also have a moment of silence for our beloved Auntie Genoa Leilani Keawe."

At this time, the House of Representatives stood for a moment of silence in memory of the late Dr. Chester Har and Aunty Genoa Keawe.

ADJOURNMENT

At 2:02 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, February 29, 2008. (Representatives Har, Karamatsu, Nakasone, Sonson and Thielen were excused.)

TWENTY-FOURTH DAY

Friday, February 29, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:05 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Robert Nakata of Kahaluu United Methodist Church, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Finnegan and Nakasone, who were excused.

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

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 24 through 28) were received and announced by the Clerk:

Sen. Com. No. 24, transmitting S.B. No. 1815, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on February 28, 2008.

Sen. Com. No. 25, transmitting S.B. No. 2103, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY," which passed Third Reading in the Senate on February 28, 2008.

Sen. Com. No. 26, transmitting S.B. No. 2408, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on February 28, 2008.

Sen. Com. No. 27, transmitting S.B. No. 3170, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PESTICIDES," which passed Third Reading in the Senate on February 28, 2008.

Sen. Com. No. 28, transmitting S.B. No. 3248, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on February 28, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred: (Representative Cabanilla, Finnegan and Nakasone were excused.)

S.B. No. 1815, SD 1	S.B. No. 3170, SD 1
S.B. No. 2103, SD 1	S.B. No. 3248, SD 1
S.B. No. 2408, SD 1	

INTRODUCTION

The following introduction was made to the members of the House:

Representative Magaoay introduced the 3rd grade students of Waialua Elementary School. They were accompanied by their teachers and chaperones: Mr. Dale Yoshizu, Ms. Dani Hagino, Ms. Trisha Oyabu, Mrs. Christine Takahashi, Mrs. Twila Richvalsky, Mrs. Liz Rivier, Mrs. Annie Otteman, Ms. Marie Hite, Ms. Lisa Pestana and Mrs. Ruth Castellano.

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

The House of Representatives reconvened at 12:36 o'clock p.m.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
67	Committee on Labor & Public Employment, then to the Committee on Finance
68	Committee on Tourism & Culture
69	Committee on Judiciary
70	Committee on Education, then to the Committee on Energy & Environmental Protection
71	Committee on Public Safety & Military Affairs
72	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
73	Committee on Transportation
74	Committee on Tourism & Culture, then to the Committee on Judiciary
75	Committee on Human Services & Housing
76	Committee on Energy & Environmental Protection, then to the Committee on Finance
77	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
78	Jointly to the Committee on Health and the Committee on Education
79	Committee on Human Services & Housing
80	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
81	Committee on Human Services & Housing, then to the Committee on Finance
82	Committee on Public Safety & Military Affairs
83	Committee on Higher Education
84	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
85	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
86	Committee on International Affairs, then to the Committee on Tourism & Culture
87	Committee on Transportation
88	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing

89	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
90	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education
91	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
92	Committee on Human Services & Housing
93	Committee on Human Services & Housing

H.C.R. Nos.	Referred to:
83	Committee on Labor & Public Employment, then to the Committee on Finance
84	Committee on Tourism & Culture
85	Committee on Judiciary
86	Committee on Education, then to the Committee on Energy & Environmental Protection
87	Committee on Public Safety & Military Affairs
88	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
89	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management
90	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
91	Committee on Transportation
92	Committee on Tourism & Culture, then to the Committee on Judiciary
93	Committee on Human Services & Housing
94	Committee on Energy & Environmental Protection, then to the Committee on Finance
95	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
96	Jointly to the Committee on Health and the Committee on Education
97	Committee on Human Services & Housing
98	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
99	Committee on Human Services & Housing, then to the Committee on Finance
100	Committee on Public Safety & Military Affairs
101	Committee on Higher Education
102	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
103	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
104	Committee on International Affairs, then to the Committee on Tourism & Culture
105	Committee on Transportation
106	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Human Services & Housing
107	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
108	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education
109	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
110	Committee on Human Services & Housing
111	Committee on Human Services & Housing

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
2841	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

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

H.B. Nos.	Re-referred to:
3407, HD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, at this time we are on Unfinished Business. Members please note that H.B. No. 3407, HD 1, has been re-referred solely to the Committees on Energy & Environmental Protection and the Committee on Commerce & Consumer Affairs per Committee Referral Sheet No. 30 that has been placed on your desks today. The Committee on Judiciary waived its referral to this measure and therefore it is appropriate for the House to consider action for passage on Third Reading."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules to reconsider action previously taken on H.B. No. 3407, HD 1, seconded by Representative B. Oshiro

Representative Meyer rose, stating:

"Mr. Speaker, I'm assuming that you're going to re-refer it. It's not going to be up for Third Reading?"

The Chair responded, stating:

"It has been re-referred already. So the motion before the House is to suspend the Rules of the House to reconsider previous action."

Representative Meyer: "So we're going to look at it today? We're going to vote on it?"

Speaker Say: "Yes."

The motion was put to vote by the Chair and carried, and the rules were suspended to reconsider action previously taken on H.B. No. 3407, HD 1. (Representatives Awana, Cabanilla, Finnegan, Karamatsu, Nakasone and Saiki were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 455-08, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Awana, Cabanilla, Finnegan and Nakasone were excused.)

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Awana, Cabanilla, Finnegan and Nakasone were excused.)

H.B. 3407, HD 1:

Representative Caldwell moved that H.B. No. 3407, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in strong support of this. This bill undoes some of the laws that we passed that were really detrimental to competition in service stations. I was very much against these bills over the years, and we just seem to keep adding more layers of regulation. So I'm very pleased to see that this bill has reached this stage and I hope that it will pass. Thank you."

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"I am in favor of this bill – in particular because the section on divorcement will be repealed.

"It was years ago when the Legislature, in an effort to protect small retail gasoline dealers from high volume gas stations in their neighborhood, instituted divorcement. High volume stations such as Aloha Petroleum simply relocated farther away and prospered because of their lower prices.

"The retail gas dealers, once visible on many street corners, have been disappearing from the Hawaiian landscape. Once upon a time they were also a potent political force, but the economics of oil pricing, environmental regulation, and governmental actions have eroded their position.

"Divorcement only delayed the inevitable. In the interest of the consumer, the State should not enact laws that impose a restraint on trade and fetter free enterprise."

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

"Mr. Speaker may I have a ruling on a potential conflict? I'm a gas dealer. Thank you, very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and H.B. No. 3407, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," passed Third Reading with Representatives Awana, Cabanilla, Finnegan and Nakasone being excused.

At 12:40 o'clock p.m., the Chair noted that H.B. No. 3407, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 740-08) recommending that H.B. No. 1101, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 740-08 on H.B. No. 1101, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1101, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 741-08) recommending that H.B. No. 2699, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 741-08 on H.B. No. 2699, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2699, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 742-08) recommending that H.B. No. 3023, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 742-08 on H.B. No. 3023, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3023, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 743-08) recommending that H.B. No. 2618, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 743-08 on H.B. No. 2618, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2618, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 744-08) recommending that H.B. No. 464, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 744-08 on H.B. No. 464, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii,

printed copies of H.B. No. 464, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 745-08) recommending that H.B. No. 1984, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 745-08 on H.B. No. 1984, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 1984, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 746-08) recommending that H.B. No. 2346, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 746-08 on H.B. No. 2346, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2346, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 747-08) recommending that H.B. No. 2347, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 747-08 on H.B. No. 2347, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2347, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 748-08) recommending that H.B. No. 2450, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 748-08 on H.B. No. 2450, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2450, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 749-08) recommending that H.B. No. 2997, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 749-08 on H.B. No. 2997, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2997, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 750-08) recommending that H.B. No. 3011, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 750-08 on H.B. No. 3011, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3011, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 751-08) recommending that H.B. No. 2436, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 751-08 on H.B. No. 2436, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2436, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 752-08) recommending that H.B. No. 2421, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 752-08 on H.B. No. 2421, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2421, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 753-08) recommending that H.B. No. 2553, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 753-08 on H.B. No. 2553, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2553, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 754-08) recommending that H.B. No. 2960, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 754-08 on H.B. No. 2960, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2960, HD 2, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 755-08) recommending that H.B. No. 2224, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 755-08 on H.B. No. 2224, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2224, HD 1, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 756-08) recommending that H.B. No. 2887, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 756-08 on H.B. No. 2887, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2887, HD 2, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 757-08) recommending that H.B. No. 2372, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 757-08 on H.B. No. 2372, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2372, HD 2, were made available to the members of the House.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 758-08) recommending that H.B. No. 2255, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 758-08 on H.B. No. 2255, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii,

printed copies of H.B. No. 2255, HD 2, were made available to the members of the House.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 759-08) recommending that H.B. No. 2367, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 759-08 on H.B. No. 2367, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2367, HD 2, were made available to the members of the House.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 760-08) recommending that H.B. No. 2503, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 760-08 on H.B. No. 2503, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2503, HD 1, were made available to the members of the House.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 761-08) recommending that H.B. No. 2502, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 761-08 on H.B. No. 2502, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2502, HD 2, were made available to the members of the House.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 762-08) recommending that H.B. No. 2467, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 762-08 on H.B. No. 2467, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2467, HD 2, were made available to the members of the House.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 763-08) recommending that H.B. No. 2598, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 763-08 on H.B. No. 2598, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2598, HD 2, were made available to the members of the House.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 764-08) recommending that H.B. No. 2626, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 764-08 on H.B. No. 2626, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2626, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 765-08) recommending that H.B. No. 2292, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 765-08 on H.B. No. 2292, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2292, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 766-08) recommending that H.B. No. 2293, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 766-08 on H.B. No. 2293, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2293, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 767-08) recommending that H.B. No. 2501, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 767-08 on H.B. No. 2501, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2501, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 768-08) recommending that H.B. No. 2516, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 768-08 on H.B. No. 2516, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2516, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 769-08) recommending that H.B. No. 2593, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 769-08 on H.B. No. 2593, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2593, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 770-08) recommending that H.B. No. 2843, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 770-08 on H.B. No. 2843, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2843, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 771-08) recommending that H.B. No. 3034, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 771-08 on H.B. No. 3034, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3034, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 772-08) recommending that H.B. No. 3120, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 772-08 on H.B. No. 3120, HD 2 was deferred and in accordance with

Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3120, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 773-08) recommending that H.B. No. 3310, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 773-08 on H.B. No. 3310, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3310, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 774-08) recommending that H.B. No. 3425, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 774-08 on H.B. No. 3425, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3425, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 775-08) recommending that H.B. No. 2163, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 775-08 on H.B. No. 2163, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2163, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 776-08) recommending that H.B. No. 2164, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 776-08 on H.B. No. 2164, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2164, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777-08) recommending that H.B. No. 2166, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 777-08 on H.B. No. 2166, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2166, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778-08) recommending that H.B. No. 2431, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 778-08 on H.B. No. 2431, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2431, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779-08) recommending that H.B. No. 2521, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 779-08 on H.B. No. 2521, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2521, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780-08) recommending that H.B. No. 3226, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 780-08 on H.B. No. 3226, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3226, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781-08) recommending that H.B. No. 2978, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 781-08 on H.B. No. 2978, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2978, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782-08) recommending that H.B. No. 2696, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 782-08 on H.B. No. 2696, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2696, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783-08) recommending that H.B. No. 3422, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 783-08 on H.B. No. 3422, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3422, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784-08) recommending that H.B. No. 3398, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 784-08 on H.B. No. 3398, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3398, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785-08) recommending that H.B. No. 2271, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 785-08 on H.B. No. 2271, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2271, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 786-08) recommending that H.B. No. 2758, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 786-08 on H.B. No. 2758, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2758, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 787-08) recommending that H.B. No. 2238, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 787-08 on H.B. No. 2238, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2238, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 788-08) recommending that H.B. No. 2512, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 788-08 on H.B. No. 2512, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2512, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789-08) recommending that H.B. No. 2513, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 789-08 on H.B. No. 2513, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2513, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 790-08) recommending that H.B. No. 2514, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 790-08 on H.B. No. 2514, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2514, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 791-08) recommending that H.B. No. 2515, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 791-08 on H.B. No. 2515, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2515, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 792-08) recommending that H.B. No. 2558, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 792-08 on H.B. No. 2558, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2558, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 793-08) recommending that H.B. No. 2698, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 793-08 on H.B. No. 2698, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2698, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 794-08) recommending that H.B. No. 2527, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 794-08 on H.B. No. 2527, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2527, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 795-08) recommending that H.B. No. 2828, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 795-08 on H.B. No. 2828, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2828, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 796-08) recommending that H.B. No. 2917, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 796-08 on H.B. No. 2917, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2917, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 797-08) recommending that H.B. No. 2955, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 797-08 on H.B. No. 2955, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2955, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 798-08) recommending that H.B. No. 3391, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 798-08 on H.B. No. 3391, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3391, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 799-08) recommending that H.B. No. 2228, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 799-08 on H.B. No. 2228, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2228, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 800-08) recommending that H.B. No. 2259, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 800-08 on H.B. No. 2259, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2259, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 801-08) recommending that H.B. No. 2473, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 801-08 on H.B. No. 2473, HD 2 was deferred and in accordance with

Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2473, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 802-08) recommending that H.B. No. 2781, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 802-08 on H.B. No. 2781, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2781, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 803-08) recommending that H.B. No. 2939, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 803-08 on H.B. No. 2939, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2939, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 804-08) recommending that H.B. No. 3085, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 804-08 on H.B. No. 3085, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3085, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 805-08) recommending that H.B. No. 3348, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 805-08 on H.B. No. 3348, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3348, HD 2, were made available to the members of the House.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 806-08) recommending that H.B. No. 3286, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 806-08 on H.B. No. 3286, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 3286, HD 1, were made available to the members of the House.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 807-08) recommending that H.B. No. 2242, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 807-08 on H.B. No. 2242, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2242, HD 1, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 808-08) recommending that H.B. No. 2253, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 808-08 on H.B. No. 2253, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2253, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 809-08) recommending that H.B. No. 2736, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2736, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I am in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2736, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SMALL BUSINESS BILL OF RIGHTS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 810-08) recommending that H.B. No. 2953, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2953, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 811-08) recommending that H.B. No. 94, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 94, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 812-08) recommending that H.B. No. 2085, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2085, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm voting no on this measure. It seems like the way the ADC is working now is very good and I don't see the need to change the makeup of the Commission. I think we're going through a lot of exercise that will not improve the present work that the Corporation is doing."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2085, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Ching, Meyer and Pine voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 813-08) recommending that H.B. No. 2145, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2145, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNCLAIMED PROPERTY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Pine voting no, and Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 814-08) recommending that H.B. No. 2547, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2547, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 815-08) recommending that H.B. No. 2614, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2614, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support to Standing Committee Report No. 815-08, HB 2614.

"This bill issues a $30 million dollar special purpose revenue bond to Island Pacific Academy, one of Kapolei's newest schools. The funds from this special purpose revenue bond will assist Island Pacific Academy in expanding their student body's programs by allowing construction of additional classrooms and a gymnasium.

"Mr. Speaker, as you know, I am an ardent proponent of our public education system. That being said, however, I also support diversity in our education system which can be achieved by providing parents and students with choices in education. This is where our private schools play an important role. Island Pacific Academy, one of two private schools in Kapolei, provides parents and students with a choice in education because IPA implements in its pedagogy contemporary research about cognitive development in young minds.

"I further support this bill because the student population at IPA is not comprised solely of students from Kapolei but includes students from all over Oahu. Approximately 30-35% of these students receive tuition assistance demonstrating that it is critical to IPA to have a diverse student population, transcending socio-economic barriers.

"As it is becoming more difficult for the State to build public schools in a timely manner due to budgetary constraints, our private schools play an even more important role by picking up the slack for our already overcrowded public schools. Therefore, we need to support our private schools as they provide support to state government.

"For these reasons, Mr. Speaker, I stand in strong support of SCR No. 815-08, HB 2614."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2614, entitled: "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 816-08) recommending that H.B. No. 2712, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2712, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE CITY AND COUNTY OF HONOLULU," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 817-08) recommending that H.B. No. 2965, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2965, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 818-08) recommending that H.B. No. 2977, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2977, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"The purpose of this bill is to address the coqui frog problem near residential areas by directing the Hawaii Invasive Species Council, in its required plan, to give priority to eradicating coqui frogs that are on state or county land within one mile of residential areas.

"Coqui frogs have had a significant impact on the quality of life for counties around the State, especially Hawaii Island residents. Any opportunity that the State can take to mitigate and control the coqui frog should be supported.

"Over half of Hawai'i's current flora of flowering plants are non-native, and almost ten percent of these represent a serious threat to our native ecosystems. These species are not high profile or even annoying for residents and visitors; however, the threats that they present for us all are very troubling and real. The sheer number of invasive species coupled with our resource based economy results in what the Legislature called in 2003, 'the single greatest threat to Hawai'i's economy and natural environment and to the health and lifestyle of Hawai'i's people.' Hawai'i's 2007 Coqui Frog Management, Research, and Education Plan reports that in 2006 alone, the Legislature allocated more than $1.8 million for the control of coqui frogs and that, 'Multi-agency efforts since 2000 have reduced the populations of Kauai and Oahu and eradication is feasible with current tools and resources.' This amended bill's proposal for the Council to focus its Coqui Frog Eradication Plan on regions that will provide the most immediate, beneficial impact on our citizens is responsible and prudent legislation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2977, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES,"

passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 819-08) recommending that H.B. No. 3080, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3080, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 820-08) recommending that H.B. No. 3309, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3309, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 821-08) recommending that H.B. No. 2245, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2245, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 822-08) recommending that H.B. No. 3072, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3072, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in opposition to Stand. Com. No. 822. Thank you, Mr. Speaker. H.B. No. 3072, HD 2 basically eliminates the Post-Secondary Higher Education Commission from statute.

"I understand the intent of the Administration to develop a collaborative commission to deal with higher education issues as it relates to STEM and other business opportunities. However, this bill does two things that I'm concerned about. The first thing that it does is it basically takes over the Post-Secondary Education Commission and by doing so, I believe you jeopardize some significant federal funds going into the Commission as a pass-through to the University of Hawaii and other institutions of higher education. That is a very big concern of mine and I think we should take a look at this as it moves forward.

"The second concern is that this bill keeps the new Education Commission within HRS 304A. As you are aware Mr. Speaker, HRS 304A is the governing statute for the University of Hawaii. I think it's inappropriate for anything having to do with the Department of Business and Economic Development and Tourism to be located in 304A. If we want to move forward on something like this, I think we should set up a new Commission and it should be within the HRS statutes under the purview of DBEDT. Thank you, Mr. Speaker."

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

"If I could just speak to Stand. Com. No. 822. I am going to vote yes, but with strong reservations for the many reasons that were just mentioned by the previous speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3072, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII HIGHER EDUCATION COMMISSION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Belatti and Takai voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 823-08) recommending that H.B. No. 3178, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3178, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 824-08) recommending that H.B. No. 2998, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2998, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 825-08) recommending that H.B. No. 3386, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3386, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, very much. On Stand. Com. Rep. 825, Relating to Attorneys, I'll be voting no. This bill will change the procedure for determining representation of any court, judicial or legislative office by the Attorney General. Also it will allow a board, commission or agency to retain outside counsel under certain circumstances if the AG declines certain representation based on a conflict of interest.

"I'm really concerned that this bill will open a can of worms, and would take away the rights and powers of the AG's office and bring in outside legal counsel when the Attorney General is the State's legal counsel. Currently, only under very specific or special circumstances are agencies allowed to retain outside counsel and it is only if the Attorney General has no legal staff that has knowledge or expertise in the area of question. I'm afraid that this bill still allows the Judiciary and/or the Legislature to hire and select their own outside counsel and make the AG's office pay for it without providing any additional funding.

"Passing this unfunded mandate will seriously cripple the AG's budget and affect their ability to provide services, which in essence would hurt the entire State as they have hundreds of other cases that they have to take care of. I have many other concerns, but I can't support this and we'll see what happens to it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3386, HD 1, entitled:

"A BILL FOR AN ACT RELATING TO ATTORNEYS," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 826-08) recommending that H.B. No. 2686, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2686, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in opposition to Stand. Com. No. 826, Relating to Administrative Procedures. Mr. Speaker this bill makes rule-making, which is already a difficult and delayed process in the State of Hawaii, even more difficult than it is. It in effect makes us in our division of labor as policymakers, also rulemakers. And generally speaking we make the laws, the departments make the rules. This bill says, 'We don't like the rules that are being made, therefore come back and talk to us.'

"Some have called this a 'handcuff' bill. Some have called it a 'mother-may-I bill,' I call it the IFL bill. An IFL bill is based on the 'irrational fear of Lingle'. I don't see why we can't let the government go on as it's always been. We make the laws, they make the rules. And if we don't like them, why do we have to pass legislation to do it? So I think this is misplaced policy making. Thank you."

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

"Mr. Speaker, thank you. I also rise in opposition to this measure, but not on the same reasons as the previous speaker. Thank you, Mr. Speaker. HB No. 2686 is deeply concerning to me for three reasons.

"This bill, first of all creates onerous requirements on agencies. The requirements under the proposed HRS 91-384 would require administrative agencies to request comments from all interested parties. This requirement is unduly burdensome and nearly impossible to accomplish within a reasonable timeframe.

"Second, this bill is also bad because it paralyzes agency rulemaking. Agencies under this bill will be forced to use precious resources to respond to the individual comments of interested parties in addition to the requirement that the issued explanation to everyone generally I presume, as the reason for the decision under the proposed bill. This is unduly burdensome again, and duplicative requirement on the agencies.

"Finally Mr. Speaker, this bill purports to conform to the federal Administrative Procedure Act, but it really doesn't. The federal APA only requires that the agency give interested persons an opportunity to participate in rulemaking through submission of written data. Not this requirement that all affected parties be notified as required under this proposed bill. This bill also includes a requirement that agencies obtain expert opinions through all other agencies with jurisdiction over the area of law that the agency is making its rules over.

"Mr. Speaker, before both Committees that heard this bill, there was strong testimony in opposition and I'd just like to read a sample and share what the concerns of the agencies are. First, DNLR wrote: 'This bill would require proof and substantial evidence in support of a proposed rule.' Again noting its unduly burdensome nature and it says that it would be unnecessarily burdensome to agencies because the affects of rule changes are not always assured. The department in rulemaking relies on the best available information and its authority to create the best management scenario given its mission.

"The Small Business Regulatory Review Board said: 'At this point in time, the Review Board has been unable to confirm or understand if this bill is an equalization to the federal level or if it surpasses federal regulations.' I purport that it surpasses federal regulations and that, as the Small Business Regulatory Review Board expressed: 'If it surpasses the federal level, the concerns of the Board members is that it will significantly stall the rule making process or even bring the process to a halt.'

"And finally I leave you with the testimony of the Hawaii Civil Rights Commission which says that this bill, 'Makes it difficult for agencies with expertise in areas under their jurisdiction to engage in rulemaking pursuant to their statutory authority.' And I want to emphasize this, 'Expose legitimate rule making to numerous legal challenges.' This body is very concerned about the length of time it takes to get rules through agencies. Clearly this bill will stall that process. Thank you, Mr. Speaker."

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

"Mr. Speaker, I rise in support of this bill. I'd just like to clarify, the purpose of this bill really goes back to the basic purposes of separation of powers. The Legislative branch is the only branch that is in power to make policies. And because of this, this bill is about the delegation of that authority through rulemaking. If we never delegate the power to make rules, then the agencies have no ability to do so. That's purely our discretionary function giving it to them because we trust them. We want them to use their expertise. We want them to be able to run efficiently and effectively. Unfortunately sometimes that does not happen.

"And so what this bill does is, it basically follows what goes on under the NEPA, or the National Environmental Policy Act, which isn't that cumbersome of a process if you understand how that process works. Basically what happens is a draft EIS comes out, people submit their comments and the agency is under an affirmative burden to respond to those comments. That's all that it does and that's all that's mirrored in this bill; a following of what we have under 40CFR, sections 1503.1 to 1503.4. And so I really don't understand why people are saying that this will be bringing rule making to a halt.

"What it does for people that are interested in rulemaking and making sure that the rules comport with the statutory authority won't exceed it or go beyond it or go inconsistent with it, is it gives the opportunity to comment. And the agency, if their proposed rules are within those bounds, should easily be able to respond and say, 'Here's why your comments are invalid. Here's why your concerns aren't being taken care of.' However if people bring forth significant comments and/or concerns that the agency should be taking a look at, and/or the Legislature should be made aware of that the agency is doing, then I think this is another mechanism by which we can ensure there's proper monitoring in this bill's delegated authority we are giving to agencies.

"Again, I need to emphasize that because in the past we've seen rulemaking go on that we don't believe comports with the policies, specifically worker's compensation. We took away the rulemaking authority because it went over and beyond their scope of what we believe the policy is under Chapter 386. And it's for those reasons that I believe we should support this bill. Thank you."

Representative Belatti rose to respond, stating:

"Mr. Speaker, in rebuttal. Thank you, I really appreciate the comments of the speaker before me and I do understand the delegated authorities that we give to agencies. However, using the example that the previous speaker pointed out, if we want to apply that scheme, that rulemaking scheme to the appropriate law, then we would apply it to HEPA, the Hawaii Environmental Protection Act. We would not take an administrative scheme that is meant for the environmental protection laws in our State and apply wholesale to all agencies. That is the problem with this.

"This bill goes too far in terms of how we can rein in, and bring in renegade agencies. Well, the way we do that is by clarifying the laws that give them statutory authority to make rules. We don't go and change the Administrative Procedure Act wholesale without thinking about how it's going to apply to all of the agencies, State and countywide.

"I would also note Mr. Speaker, that there are portions of this bill that go beyond the federal APA that requires the burden of proof for rule change to be placed on the proponent of the rule change. That is a huge step.

"And the final point I would make is just as this body is taking a very careful look at Hawaii Environmental Protection Act, we're asking experts beyond us to look at the National Environmental Protection Act before we can make any wholesale changes to that, to our Hawaii Environmental Protection Act. I would urge this body to do the same thing rather than adopt wholesale a federal Administrative Procedures Act. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Brief rebuttal, Mr. Speaker. For 50 years, almost 50 years, short one year, the system of rulemaking has worked even though all of us in this room who have had constituents say, 'Well why are the rules taking so long?' Clearly there must be an exception as to why we are doing it now after almost 50 years of it working. In this one instance where Director, Mr. Befitel, having stepped over the boundary, I think we're missing the way that we have structured the separation of powers.

"The way that you rein in directors of such out-of-bound behavior is what we have, in terms of checks and balances, with the Senate approval of those appointees. They have to be scrutinized and some of them make it, some of them don't make it. You don't go back and change the whole rulemaking and slow the whole State down because you've got one renegade, or one particular director who you don't agree with.

"So I think we're overreacting, and Mr. Speaker I think it goes back to this new gubernatorial phobia. I don't see any other way to explain it. And that's the irrational fear of Lingle."

Representative B. Oshiro rose to respond, stating:

"Again very briefly in support. The contingent that we've never had any problems is completely false. If anybody looks at the case annotations under Chapter 91, you'll see that there's over two dozen cases that have gone up the appellate court on the interpretation of Chapter 91 because the agencies for all of that time, since this law was enacted in 1961, have not been able to comply.

"I'm sorry that it takes them so long. And I'm sorry that they can't read Chapter 91 and don't know what's required of them. It's not that hard, really. They just need to make sure they're making rules that are within the policy bounds. Unfortunately sometimes they don't. Unfortunately sometimes they don't give the proper notice. Unfortunately at times they promulgate it wrong. And so that's where there are these challenges. So if people out there that are interested in rulemaking want to have the opportunity to participate in the process in a meaningful manner, I think this does so. Thank you, very much."

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

"Thank you, Mr. Speaker. Just in opposition. My concern with this bill is that it may severely limit the Administrations' ability to function in a timely manner. In that way it may jeopardize the State and put it at risk for losing federal funds and other opportunities presented outside the Legislative Session. I want to ask also that the words of the Representative of Makiki be entered as my own. Thank you," and the Chair "so ordered." (By reference only.)

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

"Mr. Speaker, I rise in support of this measure. I didn't expect to speak. I thought the measure and the findings would be self-sufficient and self-evident for the reasons of this measure. I'd like the record to put the words of the Representative from Aiea as my own. Mr. Speaker, let me just establish a few points here.

"First of all, this in no way is going to hamper the State government from operating. The sky's not falling. Armageddon is not at hand. What this bill does is basically, it allows the public to participate in a meaningful way in the rulemaking process. It does add to the current law, by tracking the federal Administrative Procedures Act and I think it's necessary when you have a situation where State departments and agencies deviate from the legislative policies articulated in our laws.

"As articulated by the speaker from Aiea, one example that those who were around here in 2004 and 2005 may recall, you saw the workers' compensation debacle that was imposed upon us by one of the departments. But there was also another instance when the Department of Human Services also on their own initiative tried to change some of the rules affecting those in public housing. And I believe the previous Chair of the Health Committee had to address that with the previous Chair of Housing & Human Services several years ago to rein in the particular Department's rulemaking authority.

"Most recently Mr. Speaker, the Department of Health, and all departments know this; we have the ability through emergency powers to enact rules. Just last year after the Governor declared a state of emergency using her Executive powers, the Department of Health came in and overnight set aside the promulgated emergency rules for the feeding of homeless, and set aside over 15 years of public health laws regarding feeding and certified kitchens in one fell pen stroke.

"So it can be done, Mr. Speaker. There's no way we'd jeopardize health and safety and the welfare of the community by the process of this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2686, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PROCEDURE," passed Third Reading by a vote of 38 ayes to 11 noes, with Representatives Belatti, Berg, Ching, Luke, Marumoto, Meyer, Morita, Pine, Thielen, Wakai and Ward voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 827-08) recommending that H.B. No. 2247, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2247, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker, in very strong support. Mr. Speaker we established the South Kona Wilderness Area in the 2003 Session. That was five years ago. We put $600,000 into the bill for the Administration to do an independent appraisal of the land to try to work on the land exchange with the owner of the land. The governor went to Kona to sign this bill into law. We brought the *kupuna* from Milolii up to witness this event. The only thing that's happened since then is nothing.

"Our senior Senator is interested in having the federal government acquire these lands, but he needs an independent appraisal. The only appraisal that we've ever received on this land is from the landowner

who based his valuation on build out based on the Hokulia development prices, which is absurd. There is strong pressure to develop the lands of South Kona and Ka'u, and we need to preserve those historic lands. Some of you have been down to these South Kona wilderness lands. You know it's not easy to get there. You need a four-wheel drive. But once you get there, the history is just amazing and we have to preserve it.

"Year after year, after year, we have to extend this bill hoping, hoping that at some point, the Administration will acquire these lands, but now she's off wanting to buy Turtle Bay. The Senate wants to buy Coco Palms. We need to preserve these historic lands of South Kona. So I urge Members to at least give us another year to see if we can get something done. Thank you."

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

"Thank you. I'm just standing in strong support Mr. Speaker, and I echo the sentiments that these historical places need to be saved because again, as I have said on the Floor, there is no better classroom for our children than these historic sites. And when they do visit these places history comes alive for them. It's an additional tool for reaching our children. Thank you."

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

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I am employed by one of the owners of the South Kona Wilderness Area, Mr. Speaker. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I am in strong support and may I have the words of the Speaker of Liliha as if they were my own? Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2247, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 828-08) recommending that H.B. No. 2687, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2687, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 829-08) recommending that H.B. No. 3060, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3060, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"I rise in support of this measure, which will allow the Hawaii Community Development Authority to resell reserved housing units with the requirement that the resold units remain affordable in perpetuity.

"I wish to point out that HCDA Director Anthony Ching supported the amendment the House made to require re-sold units to remain affordable in perpetuity.

"The inability to resell reserved housing units potentially prohibits qualified buyers from acquiring a home.

"The buyback restrictions are designed to prevent profits from purchasers of these units, by first offering the unit to Hawaii Community Development Authority, who in-turn can choose to purchase the units and then resell the unit to another qualified reserved housing buyer.

"Mr. Speaker, we must ensure that future generations have affordable housing available to them. Any sacrifice we make today to preserve affordable units in perpetuity will prevent strife for our children and grandchildren who will not be able to compete with millionaires and investors who will quickly buy up Hawaii's precious housing stock if we do not act now to prevent that.

"I urge your support of this important measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3060, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 830-08) recommending that H.B. No. 3126, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3126, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 831-08) recommending that H.B. No. 3173, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3173, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 832-08) recommending that H.B. No. 3176, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3176, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 833-08) recommending that H.B. No. 3179, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.B. No. 3179, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 834-08) recommending that H.B. No. 3262, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3262, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, in strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3262, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 835-08) recommending that H.B. No. 3272, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3272, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 836-08) recommending that H.B. No. 2062, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2062, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I stand in support of Stand. Comm. Report No. 836 (HB2062, HD1).

"This bill will allow those patients in long-term nursing facilities to move back home or in a home- or community-based long-term care setting and the Medicaid funds will be allowed to follow that patient. By allowing Medicaid funds to follow the patient, this will allow more patients who desire to reside in their own home or a residential care home to do so.

"This measure will also address the acute bed shortage of 200 to 275 as mentioned at the House Health Briefing in early January 2008 and reduce the costs to hospitals in the State of $90 million which was also mentioned at the Health Informational Briefing in early January and re-stated in the *Honolulu Advertiser* in early January 2008. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2062, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 837-08) recommending that H.B. No. 2761, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2761, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"QUEST/Medicaid is a crucial source of health coverage for low-income pregnant women and their infants. Research suggests that two months of interconception care is an inadequate amount of time for post-delivery care, which may contribute to adverse perinatal health outcomes for this at-risk population.

"Preconception/interconception care is crucial to improved health outcomes that benefit the women, as well as reducing the costs to society. Unchecked health problems create a cost to the women, as well as the community. Women of childbearing age should receive preconception care services so that they enter pregnancy in optimal health, with the goal of reducing infant and maternal morbidity and mortality.

"The findings of the Hawaii State Department of Health's Pregnancy Risk Assessment Monitoring System (PRAMS), conducted over the past several months, is consistent with national PRAMS data and clearly indicates that women on QUEST/Medicaid are: 3 times less likely to access prenatal care in the first trimester; 1.5 times more likely to have an unintended pregnancy; 3 times more likely to smoke during last trimester; 3-4 times more likely to use illicit drugs during pregnancy; 2 times more likely to suffer post-partum depression; at 3-4 times higher risk of experiencing intimate partner violence while pregnant, 10% more likely to have a low-birth weight or premature infant; and 2 times less likely to have postpartum examinations or to initiate breastfeeding, compared to women with other forms of health insurance. The data confirms that women on QUEST/Medicaid do have higher preconception risk factors, and that risky pregnancy and post-partum health conditions are prevalent as a result.

"HB 2774, HD1 would extend QUEST/Medicaid's coverage for pregnant women to 6 months post-delivery, so that they are allowed time to recover and their health care providers have more time to initiate needed care and complete recommended post-partum services. The added 4 months would also give women a crucial start on preconception care before the next potential pregnancy, as well as help address prevention of an unintended pregnancy. Women on other forms of insurance are not automatically terminated from health care access post-delivery, and this at-risk population needs more time and attention to address these unresolved perinatal health issues. By increasing access to needed care during this crucial period, it is hoped that we can improve adverse health outcomes for this population and address health problems preventively and cost-effectively with our public funds."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2761, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 838-08) recommending that H.B. No. 2511, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2511, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"I'm just standing in support, but with some reservations. This bill, basically, would expand the Rental Assistance program and give priority to applicants who are homeless or living in emergency or transitional shelter.

"I do want to declare a possible conflict. I work in a women's shelter and it would benefit," and the Chair ruled, "no conflict."

Representative Pine continued, stating:

"Just the concern that I have, and I mentioned this in Finance, basically this would give priority to a person that's homeless to go straight to a regular rental outside of the State program. My own concern is, in working with the homeless I've learned so much, and there's several different types of homeless. There are homeless who are mentally ill and who need some time and some medical care before they go straight to a program outside of government care or a counselor's care, and my concern for those particular people to go straight to a rental assistance program project that has no counselors, we may be setting them up for failure.

"The other concern is that there's homeless who have been homeless for a very, very long time and they don't really quite know how it is to be paying rent on a regular basis. So to give those people priority before people who have been in a special program to get them to pay their rent on a regular basis could also set them up for failure.

"So I know this is a great bill with a great purpose, and I just hope as we go along we will give more flexibility to perhaps the counselors that are overseeing some of these residents so we can guarantee their success."

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

"Thank you, Mr. Speaker. In strong support. I just want to respond a bit to what was previously said. The Rent Supplement Program is set up so that the person has the onus, like Section 8, to find a rental, and this is with a private landlord. The Rent Supplement Program at this point is about only $230 I believe, in assistance. So this person has to come up with the balance on their own, and has to follow all the normal rules or whatever it is they have to do. If you're talking about someone who's mentally ill, who's drug addicted, chronically homeless, that kind of thing, they probably would not end up in this program.

"I do understand the concerns and I know this could be something we could look at after Crossover. But I also wanted to point out that HPHA was critical of the measure as well, stating that the purpose of this program is really to help the gap group of people who are not the very needy. But Mr. Speaker I would argue that this group of people, these are the people that can be paying the rent on their own for one to two years. That's the current wait time for the rent supplement program.

"I think that we need to make some tough choices here and that given our State's homeless crisis, given our recent ranking as the worst in the nation for the cost of rent in comparison to our income, we really need to look at who we want to help. I know that both groups need a lot of help, but I really think we need to give priority to those who are the most needy. It's the humane thing to do to give people 90 days to find a rental upon being approved. May I also have additional written comments as well? Thank you."

Representative Shimabukuro's written remarks are as follows:

"I am in support. Mr. Speaker, this Joint Majority Package bill is beneficial for all in today's housing crisis. When I initially contacted HPHA regarding this idea, they supported the concept because they were not expending their rent supplement funds. When I asked why, HPHA stated that their workers were finding that many applicants were not eligible for various reasons, including not currently living in a qualified rental.

"The waiting list for the rent supplement program is 1 to 2 years. The way the program is currently set up, people on the waiting list must already be in a rental unit in order to qualify for assistance. With such a long and uncertain waiting period, it is a terrible onus to place this requirement upon the low income here in Hawaii. I should remind this body that Hawaii was recently ranked worst in the nation in terms of the cost of rent in comparison to income.

"Critics of this measure argue that it is set up to help a "gap group" of people who are not the very needy. Who is this gap group? We are talking about people who are able to afford paying rent on their own for 1 to 2 years during the long and uncertain waiting period for the rent supplement program. While I am sure this group is needy, I would say their needs pale in comparison to the leagues of homeless who work 2 to 3 minimum wage jobs and cannot begin to afford the rising cost of rent. And I hear from every transitional shelter manager that there is nowhere for their tenants to go because they cannot afford the going rent rates.

"This measure is fair. It will allow HPHA to exhaust the current waiting list of approximately 400 individuals before giving preference to those who are homeless and in transitional shelters. And I would bet that the 90 day grace period to find a rental will no doubt help those on the waiting list who may be homeless or in transition themselves.

"Although HPHA testified that their current $1 million balance will be exhausted with the changes we implemented last year, that is, increasing the amount of the rent supplement and increasing the income limit, about $1 million is appropriated each year for this program.

"Given our current homeless crisis, we have to make tough choices. I think it is unquestionable that if we have to choose between helping those who can afford rent for 1 to 2 years on their own, and those who are homeless and in transitional shelters, we must help those with the greatest need first.

"Please join Dr. Joel Fisher of the UH School of Social Work and OHA in support this critical measure."

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

"Thank you, Mr. Speaker. I rise in strong support and I ask that the comments made by the Representative from Waianae be entered into the Journal as my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2511, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 839-08) recommending that H.B. No. 3161, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3161, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on 839, I have a potential conflict of interest. At my law firm I represent HHSC, but nothing in relation to this measure. Thank you," and the Chair ruled, "no conflict."

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

"Thank you, Mr. Speaker. First I'd like to ask for a ruling of a potential conflict of interest. I'm an E.R. physician in rural hospitals of HHSC," and the Chair ruled, "no conflict."

Representative Green continued in support of the measure, stating:

"Mr. Speaker, may I rise in support of the bill. Just briefly, this is a $14 million emergency appropriation to keep the facilities open and running for the Neighbor Islands. I think it's very important. I'd just like to make a brief comment that it was testified in the Health Committee that over the last four years, under-reimbursement from HMSA results in the $30.8 million shortfall at HHSC. So that $30.8 million shortfall is being made up by taxpayer dollars through the Legislature, which I am very grateful that we're doing this to keep our rural hospitals open for the Neighbor Islands. But I do want to make note that this amounts to corporate welfare on behalf of the Legislature and the taxpayers directly to HMSA because they're not paying their bills. Thank you, Mr. Speaker."

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 3161, Making an Emergency Appropriation to the Hawaii Health Systems Corporation.

"In my district, Kauai Veterans Memorial Hospital is a vital part of the community, and is a part of the Hawaii Health Systems Corporation. In an emergency, the location of this rural hospital may make a difference between life and death of a patient, as the other nearest hospital is at least a 45 minute drive from the West side.

"I strongly support this $14 million emergency appropriation to keep the rural hospitals open for all of those who live on the West Side of Kauai and in other rural areas on all of the islands. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3161, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 840-08) recommending that H.B. No. 3140, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3140, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 841-08) recommending that H.B. No. 2909, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2909, entitled: "A BILL FOR AN ACT RELATING TO THE FIFTIETH ANNIVERSARY OF STATEHOOD COMMISSION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 842-08) recommending that H.B. No. 2587, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2587, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Yamane rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamane's written remarks are as follows:

"Mr. Speaker, I am in strong support of HSCR 842 (H.B. 2587, H.D. 1), a bill that will appropriate funds to establish Creativity Academies in our public school system.

"Over the years, the Legislature has been steadfast in our commitment to our most valuable resource – our *keiki* – in laying out the foundation for a future full of opportunities for them. However, studies reveal that Hawaii students experience a sharp decline in math skills, especially after the sixth grade, suggesting a pressing need to find new ways to engage them in developing the core skills needed to succeed in the competitive economic climate of the 21st century.

"In addition, Hawaii's public education system continues to face major challenges in providing our high school graduates with the skills in basic science, technology, engineering, and mathematics which are necessary for them to be adequately prepared for engineering or science programs at either a community college or university level.

"Studies conducted by national educational organizations show that the addition of a creative arts component, such as music and fine arts, to science and math education significantly enhances the learning outcomes for students while simultaneously preparing them in their pursuit of competitive careers in communication, entertainment, and technology industries because the students studying the arts are able to acquire the knowledge, skills, attitudes and behaviors – including creativity and innovation, critical thinking and problem solving, communications and collaboration, flexibility and adaptability, and social and cross cultural skills – which are the very skills necessary to be successful in the global economy.

"The Creativity Academies will introduce a classroom-based curriculum of innovative creative exploration, providing a way to assist Hawaii's *keiki* develop new approaches to problem solving, while developing the skills necessary to compete in the 21st century global marketplace through the integration of new media arts and science, technology, engineering, and mathematics content and processes by:

- Locally developing a turnkey Creativity Academies curriculum that is responsive to the educational and workforce development needs of Hawaii;
- Pilot-testing this turnkey curriculum for the University of Hawaii, community colleges, and the Department of Education systems at Kapiolani Community College and a Neighbor Island community college involving area high school students in the first year of the program;
- Developing and pilot-testing "teacher training program activities";
- Establishing an after-school program for middle school students in animation, game development, and creative publishing; and
- Establishing an after-school program for at-risk youth in animation, game development, and creative publishing.

"Mr. Speaker, this legislation is a comprehensive, bipartisan effort where the Legislature, the Department of Education, the University of Hawaii, and the Community Colleges all joined forces with the Administration to provide Hawaii's students, K-20, gifted to those with special needs, the opportunity to acquire a comprehensive education that will better prepare them for the 21st century global marketplace."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2587, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 843-08) recommending that H.B. No. 2395, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2395, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, in strong opposition."

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

"Mr. Speaker, on Stand. Com. Rep. 843. HB 2395, HD 1, Relating to Economic Development is very similar to two bills that have been passed. I'm in opposition to this. It's very similar to bills that we have passed in the two previous years and the Governor has vetoed them. While some of the Governor's concerns have been addressed in this version, there are still lots of problems with it.

"DBEDT suggests that before this bill is given further consideration, that proponents be requested to prepare a business plan that includes substantiated projections on the potential revenue that could be generated to support the activity of the corporation in its efforts to develop and exploit innovation and inventions to benefit the State. Also the bill is unclear about what actions the Innovation Development Corporation will undertake to benefit inventors, labor unions and educators who are represented on the Board of Directors as the purpose laid out in the bill is far too broad. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2395, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Ching and Meyer voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 844-08) recommending that H.B. No. 2415, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2415, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 845-08) recommending that H.B. No. 3360, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3360, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SCIENCE AND TECHNOLOGY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 846-08) recommending that H.B. No. 2198, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2198, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in support and I'd like written comments inserted in the Journal. This is part of the Joint Legislative Committee on Family Caregiving package of bills."

Representative Lee's written remarks are as follows:

"I am in support of HB2198 HD1.

"During the 2007 Interim, the University of Hawaii Department of Family and Consumer Science prepared the *Needs Assessment of Grandparents Raising Grandchildren*. The grandparent needs assessment indicates that over 14,000 grandparents are primary caregivers for over 33,000 grandchildren in the State. These grandparents are providing a great service to the State by caring for these children outside of the foster care system.

"The needs assessment also shows that grandparents who provide care to their grandchildren often suffer emotional, physical, and financial costs, and these grandparents are a vulnerable population. The types of services needed by these grandparents include: support groups, financial assistance; respite; and assistance in dealing with legal issues such as custody. A task force to discuss the specific needs of grandparents raising grandchildren is very necessary.

"I urge my colleagues to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2198, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 847-08) recommending that H.B. No. 2665, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2665, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 848-08) recommending that H.B. No. 2770, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2770, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 849-08) recommending that H.B. No. 2151, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2151, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAPTIVE INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 850-08) recommending that H.B. No. 2196, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2196, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"I am in support of this measure.

"Family caregiving is a complex issue that is just beginning to be addressed, and needs further work. By extending the term of the Joint Legislative Committee on Family Caregiving (JLCFC), as well as re-naming the Committee as the Joint Legislative Committee on Aging in Place (JLCAP), we will continue to study the issue and make recommended changes in public policy for the future.

"The JLCFC was created by Act 285, SLH 2006, and enacted as Act 204 by 2007 for it became apparent that due to the shortage of caregivers in our islands, there was a growing need for greater support to family caregivers. It is estimated that by 2020, 25% of the population will be at least sixty years of age.

"Act 204 intends to strengthen support to family caregivers, in part, by requiring the JLCFC to inquire about establishing a paid family leave program, and to conduct a comprehensive needs assessment of family caregivers and recipients: their population, the impact of family caregiving on income and employment, among other long-term care related issues.

"The JLCFC was directed to gather input from 18 governmental departments and agencies, along with 28 other organizations: the Departments of Education, Health, Human Services, Taxation, UH, EOA, and the Policy Advisory Board for Elderly Affairs, to name a few. The Committee also received input from numerous individuals who are caregivers. The JLCFC also collaborates with the Legislative Kupuna Caucus to gather information on issues of common interest.

"Contracts for conducting and analyzing the needs assessment data were awarded to Pacific Research and Planning Associates for and to the UH School of Social Work, respectively. The survey gathered 600 randomly selected responses.

"The analysis of the surveys weighted data reveal the significant roles taken by our family and long term caregivers, and the growing, urgent need to support them.

- More than one in four Hawaiian households contain at least one caregiver, caring for one or more adults at least 60 years of age.
- Over 73% of family caregivers are female with an average age of 54.
- 64% of care recipients are female with an average age of 80.
- Most caregiving is community-based and not institutional as most recipients live alone or with their caregiver; 3% reside in a nursing home.
- The household income levels of caregivers tends to be low: more than 53% of caregivers report annual earnings of 35,000 or less.
- The most common health problems of care recipients are hypertension, heart disease, arthritis, dementia, and Alzheimer's disease.
- Caregivers spend an average of approximately 20 hours per week providing care.
- 29% of the surveyed caregivers stated they provide constant care.
- 80.7% of caregivers support paid family leave, and 77.6 percent support case management, both of which comprise the cash and counseling program.
- Regarding hardships and negative effects of family care giving, caregivers ranked emotional strain to be the greatest hardship.

'The EOA contracted with the UH School of Social Work, conducted research on cash and counseling programs in other states. A report was prepared for the Legislature indicating that cash and counseling programs are promising, and ensure consumer directed home and community-based care for elders and the disabled, as well as benefiting caregivers. States offering such counseling and support services report high, satisfactory results from caregivers and receivers.

"The EOA, as mandated by Act 204, prepared a cost-benefit analysis of the family caregiver refundable income tax credit, specifically the incentive which awards a cash payment of a maximum credit of $1000 to go towards the caregivers' State income tax. This credit, the report indicates, would generate approximately $2.3 million dollars in the State's economy.

"During the 2007 interim, due to the numerous testifiers appearing during the 2006 interim, the UH Department of Family and Consumer Science prepared the Needs Assessment of Grandparents Raising Grandchildren, indicating that over 14,000 grandparents are primary caregivers for over 33,000 grandchildren. The needs assessment also indicates grandparents providing care for their grandchildren also suffer emotional, physical, legal, and financial costs.

"During the 2007 interim, LRB conducted research on how other states provide respite care. Although the inventory is yet to be finalized, the LRB has indicated that of the 44 million unpaid family caregivers nationwide, only 5% receive respite services. The benefits of respite include a delay in institutionalized care and a decrease in stress.

"This measure requires the JLCAP to design counseling and cash projects for elders and others in need of long term care not eligible for Medicaid, while enabling the Kupuna Care program to expand its services by including emergency, overnight, and weekend respite services.

"The JLCFC envisions and strives towards directing a comprehensive, maintainable community based family caregiver support system which includes:

1) a coordinated referral and case management service;
2) centralization of available services;
3) volunteers;
4) education and training; and
5) financial assistance.

"These localized and nationwide testimonies, studies, and surveys are some of the many that the JLCFC has had the benefit of

examining. The evidence of the needs of family caregivers and recipients is concrete, as well as the evidence of the progress towards the goals of the JLCFC. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2196, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 851-08) recommending that H.B. No. 2881, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2881, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 852-08) recommending that H.B. No. 3150, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3150, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 853-08) recommending that H.B. No. 2003, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2003, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 854-08) recommending that H.B. No. 2811, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2811, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 855-08) recommending that H.B. No. 2437, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2437, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 856-08) recommending that H.B. No. 2491, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2491, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"As stated on HB70 HD3 SD1, the proposal that I crafted and delivered to Senator English said that, before a contract is finalized, it needs to be presented to the Legislature and public hearings should be done for transparency. I agree wholeheartedly that discussions on PPP should start now and the route should be studied and preserved now."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2491, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 857-08) recommending that H.B. No. 2531, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2531, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Yes Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2531, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 858-08) recommending that H.B. No. 2856, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2856, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, with reservations. I'm actually a supporter of electronic road pricing. I think it makes a lot of sense. I think it only makes sense after there's an alternative.

"Right at the moment, for most commuters from the Leeward Coast and Central Oahu, the freeway is really the only way to go. The bus system is very well utilized. In fact it's so well utilized that it doesn't really supply an option for most people because most of the rush hour buses are packed. So I think this is just a little too early in the process. Once we have a rail system, I think it makes perfect sense. Mahalo."

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

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

"With reservations and just a few comments. I just wanted to add to the Representative from Downtown. In fact, the experience in Singapore where they have electronic pricing is just the way he described it, where there are alternative roads. And depending on where it's at in the city, they increase the price if it's within the core

or decrease the price. Also in Kuala Lumpur where they have pricing, they also have alternative roads so people that want to get to a certain place faster pay a higher price. Those who want to get caught in traffic, don't pay. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2856, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 859-08) recommending that H.B. No. 3196, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3196, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Brower, Ching and Thielen voting no, and with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 860-08) recommending that H.B. No. 3197, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3197, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 861-08) recommending that H.B. No. 3377, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3377, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

At 1:24 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2736, HD 1
H.B. No. 2953
H.B. No. 94, HD 1
H.B. No. 2085, HD 1
H.B. No. 2145, HD 1
H.B. No. 2547
H.B. No. 2614
H.B. No. 2712, HD 1
H.B. No. 2965, HD 2
H.B. No. 2977, HD 1
H.B. No. 3080, HD 1
H.B. No. 3309, HD 1
H.B. No. 2245, HD 1
H.B. No. 3072, HD 2
H.B. No. 3178
H.B. No. 2998, HD 1
H.B. No. 3386, HD 1
H.B. No. 2686, HD 1
H.B. No. 2247
H.B. No. 2687, HD 1
H.B. No. 3060, HD 2
H.B. No. 3126
H.B. No. 3173, HD 1
H.B. No. 3176, HD 1
H.B. No. 3179
H.B. No. 3262, HD 1
H.B. No. 3272
H.B. No. 2062, HD 1
H.B. No. 2761, HD 1
H.B. No. 2511, HD 1
H.B. No. 3161
H.B. No. 3140
H.B. No. 2909
H.B. No. 2587, HD 1
H.B. No. 2395, HD 1
H.B. No. 2415, HD 1
H.B. No. 3360, HD 1
H.B. No. 2198, HD 2
H.B. No. 2665, HD 1
H.B. No. 2770, HD 1
H.B. No. 2151, HD 1
H.B. No. 2196, HD 2
H.B. No. 2881, HD 2
H.B. No. 3150, HD 2
H.B. No. 2003
H.B. No. 2811
H.B. No. 2437
H.B. No. 2491
H.B. No. 2531, HD 1
H.B. No. 2856
H.B. No. 3196, HD 1
H.B. No. 3197
H.B. No. 3377

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 862-08) recommending that H.B. No. 1075, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1075, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 863-08) recommending that H.B. No. 2920, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2920, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 864-08) recommending that H.B. No. 2907, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2907, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Caldwell rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Caldwell's written remarks are as follows:

"Many communities in Hawaii, including Manoa, face continuing problems with feral pigs. Within the last few years, hunting programs have helped to keep feral pig populations in check, but we must do more. This appropriation will come at a small price. Box traps and corral traps are an inexpensive way to control feral pigs, but an important investment to protect our islands.

"While feral pigs rarely endanger people, they cause substantial destruction in residential neighborhoods, and widespread destruction of natural environments.

"In the mountains behind Manoa Valley, wild pigs continue to destroy the undergrowth that plays an important role in protecting our community and the environment. Without this undergrowth which is eaten and trampled by feral pigs, loose soil is washed away by the heavy rains, contributing to the silt and debris that clog Manoa stream. In 2004, heavy rains brought silt and debris that overflowed the banks causing $80 million dollars in damage.

"At the *makai* end of our *ahupua'a*, as the stream waters enter the ocean, the silt covers the reef, continuing the environmental damage that started in the mountains.

"If we can protect the undergrowth, it slows the speed of water that comes down the mountain, protects the soil from erosion, keeps our streams flowing freely, and protects our reefs from silt. I urge you to support this measure."

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

"In strong support, Mr. Speaker. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2907, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FERAL PIG ABATEMENT," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 865-08) recommending that H.B. No. 3191, HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 866-08) recommending that H.B. No. 2872, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2872, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 867-08) recommending that H.B. No. 1898, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1898, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 868-08) recommending that H.B. No. 2260, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2260, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 869-08) recommending that H.B. No. 2540, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 870-08) recommending that H.B. No. 2737, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2737, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr Speaker, I rise in strong support of Stand Com Report 870-08, HB2737 HD1. This bill appropriates funds to the Department of Agriculture for the construction of a water reservoir or reservoirs in Upcountry Maui having a combined capacity of 300 million gallons. The measure also requires funds from the federal and county governments.

"Upcountry Maui is an area that is frequented by drought, which leads to mandatory water cutbacks. As a result, many farmers are forced out of business and agricultural production is drastically reduced. Additionally, many Upcountry residents face severe hardship, as water shortages negatively affect not only farmers, but also wholesalers, retailers, and consumers. If we are to preserve agriculture in Hawaii, we must provide water to our farmers.

"The construction of a drought mitigation reservoir in Upcountry is the first crucial step towards securing Maui's future. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2737, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 871-08) recommending that H.B. No.

3259, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 872-08) recommending that H.B. No. 2099, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 873-08) recommending that H.B. No. 2942, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Finnegan and Nakasone being excused.

Representatives Ito, Waters and M. Oshiro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary and the Committee on Finance presented a report (Stand. Com. Rep. No. 874-08) recommending that H.B. No. 266, HD 1, as amended in HD 2, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 266, HD 2, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

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

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

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

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

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

"Mr. Speaker, in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 266, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Luke voting no, and with Representatives Finnegan and Nakasone being excused.

THIRD READING

H.B. No. 2045:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2045, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2460:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2460, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2522:

Representative Caldwell moved that H.B. No. 2522, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you. Mr. Speaker, I'm rising to speak against House Bill 2522. It is Relating to the Land Use Commission. What the bill does Mr. Speaker, is raises the acreage that can be reclassified by a county and raises it up to 50 acres. I think this is a very poor land use decision.

"The Sierra Club had very descriptive testimony as to why they thought this bill should not pass through. I think in the end result we could end up with a lot more checker-board kind of land use in our State and also harm agricultural uses. So I would hope that if the bill passes today, I would hope it does not make it over to the Senate side. Thank you."

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

"Same measure, with reservations. Just some really, really brief comments. I understand that the legislative intent of the 15 acres by the 1981 Legislature was to streamline the process. I know a lot of the major, big land owners in those days no longer exist. However on Maui we have a new breed of cat: Mainland speculators who are buying up 30, 40 acre parcels for speculation development. So I understand that this would help to move things forward, but I do have concerns about the 50-acre limit. Thank you."

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

"Mr. Speaker, I'm standing in opposition of this matter. I think that we should not be going to this type of reclassification of lands. We have infrastructure problems arising from this reclassification and I think if we are to reclassify these lands, it should be taken up on a county basis rather than us legislating it on a statewide basis. Thank you."

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

"Mr. Speaker, in support. Mr. Speaker this bill is one of our Majority Package bills. It is part of our Smart Growth Package of which there are a number of bills. And this one basically is designed, and here's the reason it's called Smart Growth, to prevent what we're seeing right now, which is fallout into our agriculture lands. It's to encourage more condensed growth and not have 'leapfrogging' outwards. So it's dealing with remnant parcels.

"And granted, in 1981 it was 15 acres and it's being increased to 50 acres. Part of the reason, Mr. Speaker is that with this bill, the jurisdiction will fall to the counties. Back in '81, maybe the counties

were not equipped to deal with this. But we've seen since then, counties have become stronger and stronger in dealing with land use issues and therefore, it will rest with them and we won't have multijurisdictional problems, and hopefully we'll have fair decisions being made; more clear, and more efficiently made decisions on remnant parcels.

"The other thing Mr. Speaker, is that I think that today is the day to start looking at how we empower our counties, and give them some further homerule. It gets back to that whole question about whether government is fit for the future. I think this is one step in going to the direction of trying to restructure a little bit how government works and empowering the counties to deal with issues on land use development, on smaller parcels of land. Thank you very much, Mr. Speaker. I hope everyone will support this bill."

Representative Shimabukuro rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"HB 2522 will have county councils, not the Land Use Commission decide the use of agriculture, rural and conservation lands up to 50 acres from the current 15 acres. Enacting this bill will allow for a more consolidated process by giving counties the authority to amend land use maps contained in a county general plan, county community, development, or community development plans, and any other proceedings without going to the Land Use Commission.

"This bill would take the majority of the land reclassification applications out of the State Land Use Commission's authority and give it to the counties as a consolidated rezoning process. Currently the LUC's requirements for review of boundary amendments are far more involved and in-depth than the counties.

"Both OHA and the Sierra Club have opposed this measure. OHA feels that by allowing the counties to decide what happens with the land, public review of such important decisions will not happen. If that is the case they cannot fulfill their duties to ensure the protection of traditional and culture access rights and uses, Native Hawaiian archaeological and burial sites, and natural and cultural resources. Despite the fact that counties must consult with OHA before plans are made, they rarely comply with Native Hawaiian interests like LUC does. Sierra Club feels that by expanding the threshold to 50 acres many agricultural lands will be lost. They believe that the counties do not have the expertise to evaluate wetlands, wildlife habitat and archeological sites on rural or agricultural lands.

"Allowing the counties to decide uses on rural and agricultural land less than 50 acres and not the quasi-judicial LUC eliminates a person's right to question developers and their 'expert' witnesses, appeal decisions based on a complete record for violations of clear standards, and have decisions made based upon evidence presented.

"Living in such a precious environment with many cultures and traditions, we should be very careful about what we do with our land and take OHA and Sierra club's recommendations seriously. Both organizations' work for the best interest of Hawaii's people and land."

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

"Thank you, Mr. Speaker. With all respect to the Representative from Manoa, speaking from East Honolulu, I have grave concerns at the counties' ability to take responsibility for this and especially in light of the fact that we are still trying to determine the important agricultural lands discussion and the incentives and all the details of that. The county zoning areas are not congruent with the State zoning and I think this is premature. I think this is flying in the face of the existing sincere efforts of working toward identifying important agricultural lands. Thank you."

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

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

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

"Thank you, Mr. Speaker. In support and I'd like the Journal to reflect the speaker from Manoa's words as if they were own. And I'd also like to say, coming from the Neighbor Islands, that it's very difficult for Neighbor Island people to come to the Land Use Commission or any commission here in Honolulu. And the words that the speaker from Manoa said as far as getting it back to the people, this Legislature is in session for three and a half months. The county councils on the Neighbor Islands, and even for populations of 500,000 or more, are in session all year. So it gives the people more opportunities to reflect change to their districts. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 2522, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Third Reading by a vote of 41 ayes to 8 noes, with Representatives Belatti, Berg, Cabanilla, Carroll, Hanohano, Morita, Thielen and Wakai voting no, and with Representatives Finnegan and Nakasone being excused.

H.B. No. 2523:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Finnegan and Nakasone being excused.

H.B. No. 2525 and H.B. No. 2526:

Representative Caldwell moved that H.B. No. 2525, and H.B. No. 2526 pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker I'm voting with reservations on both House Bill 2525 and House Bill 2526. Both of these are moving ahead with the idea of smart growth. I think there are lots of examples from the State of Oregon that have driven the cost of homes and property up dramatically."

The motion was put to vote by the Chair and carried, and H.B. No. 2525, entitled: "A BILL FOR AN ACT RELATING TO HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused; and

H.B. No. 2526, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Cabanilla voting no, and with Representatives Finnegan and Nakasone being excused.

H.B. No. 3383:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3383, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2040:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2040, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2671:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2671, entitled: "A BILL FOR AN ACT RELATING TO A KAKAAKO MAKAI PARKING STRUCTURE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2873:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2873, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2962:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2962, entitled: "A BILL FOR AN ACT RELATING TO AFTER-SCHOOL PROGRAMS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2966:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2966, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 3037:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 3038:

Representative Caldwell moved that H.B. No. 3038, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, on House Bill 3038, I rise with reservations and brief comments. Mr. Speaker, I note that in the Finance Committee, the Department of Transportation, as well the Department of Accounting and General Services noted that there was a cost savings to the State of Hawaii for not having to pay the electricity bills for the lights out on the H-1 freeway between Kunia and Kapolei, as well as the Central Oahu corridor.

"When I asked the Director of Transportation what the cost savings for the stretch of road on the H-1 freeway, he advised me that the cost savings was $4,400 per month to the State of Hawaii. In addition, for the corridor of Central Oahu, the cost savings is over $2,000. So with respect to this emergency appropriation for electricity payments, I rise with strong reservations because there is a cost savings and it was not reflected in this emergency appropriation request. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2894:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2894, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

H.B. No. 2656:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2656, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," passed Third Reading by a vote of 49 ayes, with Representatives Finnegan and Nakasone being excused.

At 1:37 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2045
H.B. No. 2460
H.B. No. 2522
H.B. No. 2523
H.B. No. 2525
H.B. No. 2526
H.B. No. 3383
H.B. No. 2040
H.B. No. 2671
H.B. No. 2873
H.B. No. 2962
H.B. No. 2966
H.B. No. 3037
H.B. No. 3038
H.B. No. 2894
H.B. No. 2656

At this time, the Chair discharged all House conferees for H.B. No. 987, HD 1, SD 2, stating:

"Members, please refer to your yellow Action Sheets. The Chair at this time will be discharging all of the House Conferees previously appointed to House Bill 987, HD 1, which was returned to the House with a Senate Draft during the 24th Legislature Regular Session of 2007.

"The said House Bill returned to the House with a Senate draft during the 24th Legislature Regular Session of 2007 is hereby returned to this Chamber from Conference Committee for possible further disposition by this body."

SUSPENSION OF RULES

Representative Caldwell moved that the rules be suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to H.B. No. 987, HD 1, seconded by Representative B. Oshiro.

Representative Ward rose, stating:

"Mr. Speaker, a point of clarification. Does this mean the bill that we're going to be speaking about is one that came back after it went through the process last year, but never got through the Conference Committee, but now we're reviving it as we're going to be starting Conference Committees?"

The Chair responded, stating:

"We're pulling it back from Conference, and we're discharging the Members who were the House Conferees, and we are making the motion for the reconsideration."

Representative Ward: "Will the public have a chance to comment on this bill after a hiatus of about 12 months?"

Speaker Say: "No not at this time."

The motion was put to vote by the Chair and carried, and the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to H.B. No. 987, HD 1. (Representatives Finnegan and Nakasone were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for H.B. No. 987, HD 1, SD 2, seconded by Representative B. Oshiro.

Representative Ward: "Mr. Speaker, I rise in confusion. Neither the public nor this body have seen the bill am I correct? Do we have a copy of the bill?"

Speaker Say: "This bill has gone through the legislative process of the six hearings."

Representative Ward: "But now we're doing a final vote."

Speaker Say: "No we're not. We're doing a reconsideration and a motion to agree. This is last year's bill."

Representative Ward: "And it will be placed on the Calendar?"

Speaker Say: "Next week. For decision making."

Representative Ward: "I stand corrected. Thank you."

The motion was put to vote by the Chair and carried, and the House reconsidered its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for H.B. No. 987, HD 1, SD 2. (Representatives Finnegan and Nakasone were excused.)

The Chair then announced:

"Members of the House, this measure will be taken up next week Tuesday to give you time to digest H.B. No. 987, HD 1, SD 2."

Representative Meyer rose, stating:

"Mr. Speaker, just a point of inquiry. I believe what we will be looking at is the Senate Draft 2, which we previously disagreed with, but now we're agreeing with."

Speaker Say: "Yes."

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 95 through 106) and concurrent resolutions (H.C.R. Nos. 112 through 124) were referred to Printing and further action was deferred:

H.R. No. 95, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF HAWAII TO PREPARE A COORDINATED, COMPREHENSIVE PLAN TO ADDRESS THE NEEDS AND CONCERNS OF THE LESSEES FACING EVICTION UPON THE EXPIRATION OF THE LEASES AT THE KANOELEHUA INDUSTRIAL PARK," was jointly offered by Representatives Chang, Awana, Brower, Evans, Green, Hanohano, Herkes, Ito, McKelvey, Mizuno, Sagum, Tsuji, Wakai, Waters, Yamane, Yamashita, Belatti, Carroll and Takamine.

H.R. No. 96, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was jointly offered by Representatives Awana, Carroll, Hanohano, Meyer, Mizuno, Rhoads, Sagum, Shimabukuro and Ward.

H.R. No. 97, entitled: "HOUSE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS," was jointly offered by Representatives Awana, Brower, Evans, Hanohano, Magaoay, Manahan, Mizuno, Sagum, Shimabukuro and Tokioka.

H.R. No. 98, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was jointly offered by Representatives Awana, Hanohano, Mizuno, Shimabukuro, Evans and Sagum.

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 jointly offered by Representatives Tsuji, Chang, Brower, Chong, Herkes, Wakai, Yamane and Yamashita.

H.R. No. 100, entitled: "HOUSE RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was jointly offered by Representatives Lee, Awana, Brower, Evans, Magaoay, Mizuno, Berg, Carroll, Chang, Chong, Herkes, Ito, Karamatsu, Shimabukuro, Takamine and Tsuji.

H.R. No. 101, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was jointly offered by Representatives Lee, Awana, Chang, Evans, Ito, Magaoay, Mizuno, Shimabukuro, Brower, Carroll, Chong, Herkes, Takamine and Tsuji.

H.R. No. 102, entitled: "HOUSE RESOLUTION RECOMMENDING THAT REALTORS PROMOTE THE PRINCIPLES OF UNIVERSAL DESIGN," was jointly offered by Representatives Lee, Brower, Awana, Chang, Herkes, Ito, Karamatsu, Magaoay, Shimabukuro, Takamine and Tsuji.

H.R. No. 103, entitled: "HOUSE RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was jointly offered by Representatives Lee, Brower, Awana, Chang, Herkes, Ito, Karamatsu, Magaoay, Shimabukuro and Takamine.

H.R. No. 104, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO PROVIDE CURRENT PUBLIC SCHOOL ADMINISTRATORS AND FACULTY WITH COURSES IN HAWAIIAN LANGUAGE AND CULTURE INSTRUCTION, AND TO INCORPORATE THESE COURSES INTO THE DEPARTMENT'S PREFERENCES FOR EMPLOYMENT AND CONDITIONS FOR TEACHER LICENSURE," was jointly offered by Representatives Berg, Awana, Carroll and Hanohano.

H.R. No. 105, entitled: "HOUSE RESOLUTION ESTABLISHING POLICIES FOR THE LEGISLATIVE BROADCAST PROGRAM'S CABLECAST OF PROCEEDINGS OF THE HOUSE OF REPRESENTATIVES," was jointly offered by Representatives Belatti, Awana, Brower, Cabanilla, Hanohano, McKelvey, Morita, Berg, Bertram, Chong, Evans, Herkes, Ito, Lee, Luke, Magaoay, Nishimoto, Rhoads, Sagum, Souki, Wakai and Waters.

H.R. No. 106, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON CONSTRUCTION," was offered by Representative Sonson.

H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF HAWAII TO PREPARE A COORDINATED, COMPREHENSIVE PLAN TO ADDRESS THE NEEDS AND CONCERNS OF THE LESSEES FACING EVICTION UPON THE EXPIRATION OF THE LEASES AT THE KANOELEHUA INDUSTRIAL PARK," was jointly offered by Representatives Chang, Awana, Brower, Evans, Green, Hanohano, Herkes, Ito, McKelvey, Mizuno, Sagum, Tsuji, Wakai, Waters, Yamane, Yamashita, Belatti, Carroll and Takamine.

H.C.R. No. 113, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was jointly offered by Representatives Awana, Carroll, Hanohano, Meyer, Mizuno, Rhoads, Sagum, Shimabukuro and Ward.

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS," was jointly offered by Representatives Awana, Brower, Evans, Hanohano, Magaoay, Manahan, Mizuno, Sagum, Shimabukuro and Tokioka.

H.C.R. No. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was jointly offered by Representatives Awana, Hanohano, Mizuno, Shimabukuro, Evans and Sagum.

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 jointly offered by Representatives Tsuji, Brower, Chang, Chong, Herkes, Wakai, Yamane and Yamashita.

H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was jointly offered by Representatives Sagum, Chong, Magaoay, Mizuno, Morita, Tokioka and Ito.

H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was jointly offered by Representatives Lee, Awana, Brower, Evans, Magaoay, Mizuno, Yamane, Berg, Carroll, Chang, Chong, Herkes, Ito, Karamatsu, Shimabukuro, Takamine and Tsuji.

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was jointly offered by Representatives Lee, Awana, Chang, Evans, Ito, Magaoay, Mizuno, Shimabukuro, Yamane, Brower, Carroll, Chong, Herkes, Takamine and Tsuji.

H.C.R. No. 120, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING THAT REALTORS PROMOTE THE PRINCIPLES OF UNIVERSAL DESIGN," was jointly offered by Representatives Lee, Brower, Awana, Chang, Herkes, Ito, Karamatsu, Magaoay, Shimabukuro, Takamine and Tsuji.

H.C.R. No. 121, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was jointly offered by Representatives Lee, Brower, Awana, Chang, Herkes, Ito, Karamatsu, Shimabukuro and Takamine.

H.C.R. No. 122, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PLAN TO PROVIDE CURRENT PUBLIC SCHOOL ADMINISTRATORS AND FACULTY WITH COURSES IN HAWAIIAN LANGUAGE AND CULTURE INSTRUCTION, AND TO INCORPORATE THESE COURSES INTO THE DEPARTMENT'S PREFERENCES FOR EMPLOYMENT AND CONDITIONS FOR TEACHER LICENSURE," was jointly offered by Representatives Berg, Awana, Carroll and Hanohano.

H.C.R. No. 123, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD," was jointly offered by Representatives Berg, Awana, Carroll, Hanohano and Takumi.

H.C.R. No. 124, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONSTRUCTION," was offered by Representative Sonson.

ANNOUNCEMENT

Representative Awana: "Thank you, Mr. Speaker. As stated in the *Honolulu Advertiser*, this man received a National Heritage Fellowship for the National Endowment for the Arts in 1987 and a Na Hokuhanohano Lifetime Achievement Award in 2003.

"My condolences go out to the family of Uncle Raymond Kaleoalohapoina'oleohelemanu Kane in this very delicate time, while wishing my best to Uncle Ray as he continues to play his slack key guitar under the great big mango tree in the sky. At this time I'd like to ask for a moment of silence."

At this time, the House of Representatives stood for a moment of silence in memory of the late Mr. Raymond Kane.

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day for the purpose of receiving Standing Committee Reports and House bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Finnegan and Nakasone were excused.)

At 1:44 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, March 4, 2008. (Representatives Finnegan and Nakasone were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Rep. Nos. 875 through 1041), were received by the Clerk prior to 12:00 midnight this legislative day, and the following action was taken:

Stand. Com. Rep. No. 875-08 (JUD) and H.B. No. 524, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 876-08 (JUD) and H.B. No. 2350, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 877-08 (JUD) and H.B. No. 3331, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 878-08 (FIN) and H.B. No. 2735, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 879-08 (FIN) and H.B. No. 2766, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 880-08 (FIN) and H.B. No. 2797, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KALOKO HOUSING PROGRAM," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 881-08 (FIN) and H.B. No. 3008, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 882-08 (FIN) and H.B. No. 3059, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 883-08 (FIN) and H.B. No. 3139, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 884-08 (FIN) and H.B. No. 3400, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 885-08 (FIN) and H.B. No. 2412, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 886-08 (FIN) and H.B. No. 2576, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 887-08 (FIN) and H.B. No. 2913, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIDNEY DISEASE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 888-08 (FIN) and H.B. No. 2004, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 889-08 (FIN) and H.B. No. 2005, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 890-08 (FIN) and H.B. No. 2330, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 891-08 (FIN) and H.B. No. 2505, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 892-08 (FIN) and H.B. No. 2506, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 893-08 (FIN) and H.B. No. 2507, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 894-08 (FIN) and H.B. No. 2510, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 895-08 (FIN) and H.B. No. 3151, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 896-08 (FIN) and H.B. No. 2952, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 897-08 (CPC) and H.B. No. 509, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 898-08 (CPC) and H.B. No. 2301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 899-08 (CPC) and H.B. No. 2954, entitled: "A BILL FOR AN ACT RELATED TO TOWING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 900-08 (CPC) and H.B. No. 3109, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 901-08 (CPC) and H.B. No. 2810, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 902-08 (CPC/JUD) and H.B. No. 2559, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 903-08 (FIN) and H.B. No. 2211, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASTEWATER PROJECTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 904-08 (FIN) and H.B. No. 2357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 905-08 (FIN) and H.B. No. 3177, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 906-08 (FIN) and H.B. No. 2739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 907-08 (FIN) and H.B. No. 2860, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 908-08 (FIN) and H.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 909-08 (FIN) and H.B. No. 2972, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 910-08 (FIN) and H.B. No. 1989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 911-08 (FIN) and H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 912-08 (FIN) and H.B. No. 2985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 913-08 (FIN) and H.B. No. 2302, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 914-08 (FIN) and H.B. No. 2807, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 915-08 (FIN) and H.B. No. 3016, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 916-08 (FIN) and H.B. No. 3175, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 917-08 (FIN) and H.B. No. 3064, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 918-08 (FIN) and H.B. No. 2261, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 919-08 (FIN) and H.B. No. 602, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 920-08 (FIN) and H.B. No. 2971, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 921-08 (FIN) and H.B. No. 2792, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 922-08 (FIN) and H.B. No. 2076, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPLETED URANIUM," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 923-08 (FIN) and H.B. No. 2207, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DISASTER RELIEF," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 924-08 (FIN) and H.B. No. 2323, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEACHES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 925-08 (FIN) and H.B. No. 2373, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOOKINI HEIAU," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 926-08 (FIN) and H.B. No. 1476, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 927-08 (FIN) and H.B. No. 1993, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 928-08 (FIN) and H.B. No. 2283, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 929-08 (FIN) and H.B. No. 2888, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 930-08 (FIN) and H.B. No. 2047, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 931-08 (FIN) and H.B. No. 2662, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 932-08 (FIN) and H.B. No. 3058, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 933-08 (FIN) and H.B. No. 3403, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 934-08 (JUD) and H.B. No. 2583, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 935-08 (JUD) and H.B. No. 523, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 936-08 (CPC) and H.B. No. 2492, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 937-08 (CPC) and H.B. No. 937, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL AND PLUMBING TRADES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 938-08 (FIN) and H.B. No. 2908, entitled: "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 939-08 (FIN) and H.B. No. 2020, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 940-08 (FIN) and H.B. No. 2134, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 941-08 (FIN) and H.B. No. 2795, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 942-08 (FIN) and H.B. No. 2009, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 943-08 (FIN) and H.B. No. 2543, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHOOTING RANGE IN WEST HAWAII ON THE ISLAND OF HAWAII," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 944-08 (FIN) and H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 945-08 (FIN) and H.B. No. 2664, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 946-08 (FIN) and H.B. No. 2685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 947-08 (FIN) and H.B. No. 3367, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 948-08 (FIN) and H.B. No. 2456, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 949-08 (FIN) and H.B. No. 2922, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 950-08 (FIN) and H.B. No. 3406, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS MODERNIZATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 951-08 (FIN) and H.B. No. 1890, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH CARE SERVICES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 952-08 (FIN) and H.B. No. 2727, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 953-08 (FIN) and H.B. No. 2306, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 954-08 (FIN) and H.B. No. 2605, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING

TO THE ARMED SERVICES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 955-08 (FIN) and H.B. No. 2763, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 956-08 (FIN) and H.B. No. 2857, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 957-08 (CPC) and H.B. No. 2550, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 958-08 (FIN) and H.B. No. 2862, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 959-08 (FIN) and H.B. No. 3410, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 960-08 (FIN) and H.B. No. 3444, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 961-08 (FIN) and H.B. No. 2137, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 962-08 (FIN) and H.B. No. 2757, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 963-08 (FIN) and H.B. No. 2759, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 964-08 (FIN) and H.B. No. 3146, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 965-08 (FIN) and H.B. No. 2051, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 966-08 (FIN) and H.B. No. 2816, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 967-08 (FIN) and H.B. No. 3399, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 346, HAWAII REVISED STATUTES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 968-08 (FIN) and H.B. No. 584, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 969-08 (FIN) and H.B. No. 2778, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 970-08 (FIN) and H.B. No. 2248, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 971-08 (FIN) and H.B. No. 2326, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 972-08 (FIN) and H.B. No. 3213, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 973-08 (FIN) and H.B. No. 1979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 974-08 (FIN) and H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 975-08 (FIN) and H.B. No. 2929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 976-08 (FIN) and H.B. No. 2964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 977-08 (FIN) and H.B. No. 3029, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 978-08 (FIN) and H.B. No. 3030, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 979-08 (FIN) and H.B. No. 3168, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 980-08 (FIN) and H.B. No. 2672, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 981-08 (JUD) and H.B. No. 3107, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDER PERMITS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 982-08 (JUD) and H.B. No. 2139, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 983-08 (JUD) and H.B. No. 2589, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING

TO SCRAP METAL," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 984-08 (JUD) and H.B. No. 2596, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 985-08 (JUD) and H.B. No. 3379, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 986-08 (PSM) and H.B. No. 2675, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 987-08 (FIN) and H.B. No. 2366, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 988-08 (FIN) and H.B. No. 2519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 989-08 (FIN) and H.B. No. 2386, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 990-08 (FIN) and H.B. No. 2387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 991-08 (FIN) and H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 992-08 (FIN) and H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 993-08 (FIN) and H.B. No. 2927, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 994-08 (FIN) and H.B. No. 3163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 995-08 (FIN) and H.B. No. 2376, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 996-08 (FIN) and H.B. No. 1823, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND PEDESTRIAN SAFETY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 997-08 (FIN) and H.B. No. 839, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 998-08 (FIN) and H.B. No. 935, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 999-08 (FIN) and H.B. No. 2401, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1000-08 (FIN) and H.B. No. 3211, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLOTHESLINES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1001-08 (FIN) and H.B. No. 2438, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1002-08 (FIN) and H.B. No. 3152, as amended in HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1003-08 (FIN) and H.B. No. 2272, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1004-08 (FIN) and H.B. No. 2168, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1005-08 (FIN) and H.B. No. 2661, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1006-08 (FIN) and H.B. No. 2825, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1007-08 (FIN) and H.B. No. 2518, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1008-08 (FIN) and H.B. No. 3243, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU SYMPHONY AND ITS PROGRAMS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1009-08 (FIN) and H.B. No. 2710, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1010-08 (FIN) and H.B. No. 3166, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS

BOARD," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1011-08 (FIN) and H.B. No. 2772, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1012-08 (FIN) and H.B. No. 1988, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1013-08 (FIN) and H.B. No. 3358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1014-08 (FIN) and H.B. No. 2509, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1015-08 (FIN) and H.B. No. 2581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1016-08 (FIN) and H.B. No. 2897, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSET BUILDING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1017-08 (FIN) and H.B. No. 3352, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1018-08 (FIN) and H.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1019-08 (FIN) and H.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1020-08 (FIN) and H.B. No. 2823, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1021-08 (FIN) and H.B. No. 2974, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1022-08 (FIN) and H.B. No. 2429, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1023-08 (FIN) and H.B. No. 2704, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1024-08 (FIN) and H.B. No. 2388, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1025-08 (FIN) and H.B. No. 3174, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1026-08 (FIN) and H.B. No. 7, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1027-08 (FIN) and H.B. No. 12, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1028-08 (FIN) and H.B. No. 2504, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1029-08 (FIN) and H.B. No. 2863, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1030-08 (FIN) and H.B. No. 2256, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1031-08 (FIN) and H.B. No. 1616, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1032-08 (FIN) and H.B. No. 3279, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNITED OKINAWA ASSOCIATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1033-08 (FIN) and H.B. No. 2520, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1034-08 (FIN) and H.B. No. 396, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1035-08 (FIN) and H.B. No. 2961, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1036-08 (FIN) and H.B. No. 2186, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1037-08 (FIN) and H.B. No. 2973, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1038-08 (FIN) and H.B. No. 1745, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1039-08 (FIN) and H.B. No. 3440, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING

TO THE ISLAND OF NI‘IHAU," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1040-08 (FIN) and H.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION," were placed on the calendar for Third Reading on March 4, 2008.

Stand. Com. Rep. No. 1041-08 (FIN) and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on March 4, 2008.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, March 4, 2008.

HOUSE COMMUNICATIONS

House Communication dated February 29, 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 discharged all conferees to H.B. No. 987, HD 1, SD 2.

House Communication dated February 29, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2007 to H.B. No. 987, HD 1, SD 2.

TWENTY-FIFTH DAY

Tuesday, March 4, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 9:12 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Alex M. Sonson, after which the Roll was called showing all members present with the exception of Representatives Nakasone, Souki, Takai and Takamine, who were excused.

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

GOVERNOR'S MESSAGE

The following messages from the Governor (Gov. Msg. Nos. 266 and 267) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 266, dated December 21, 2007, transmitting the FY 06-07 Hawaii Coastal Zone Management Annual Report, pursuant to Section 205A-3(10).

Gov. Msg. No. 267, dated February 29, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force.

SENATE COMMUNICATION

The following communications from the Senate (Sen. Com. Nos. 29 through 51) were received and announced by the Clerk:

Sen. Com. No. 29, transmitting S.B. No. 521, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 30, transmitting S.B. No. 1809, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 31, transmitting S.B. No. 2034, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 32, transmitting S.B. No. 2041, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 33, transmitting S.B. No. 2141, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 34, transmitting S.B. No. 2202, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 35, transmitting S.B. No. 2226, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 36, transmitting S.B. No. 2312, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 37, transmitting S.B. No. 2314, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 38, transmitting S.B. No. 2523, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 39, transmitting S.B. No. 2675, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 40, transmitting S.B. No. 2714, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 41, transmitting S.B. No. 2861, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 42, transmitting S.B. No. 2876, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 43, transmitting S.B. No. 2900, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 44, transmitting S.B. No. 2959, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 45, transmitting S.B. No. 3021, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VIATICAL SETTLEMENTS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 46, transmitting S.B. No. 3028, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 47, transmitting S.B. No. 3088, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 48, transmitting S.B. No. 3109, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CORRECTIONAL PROGRAM REVOLVING FUND," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 49, transmitting S.B. No. 3130, SD 1, entitled: "A BILL FOR AN ACT RELATING TO NURSING," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 50, transmitting S.B. No. 3190, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," which passed Third Reading in the Senate on February 29, 2008.

Sen. Com. No. 51, transmitting S.B. No. 3196, entitled: "A BILL FOR AN ACT RELATING TO LEASE TO FEE CONVERSION," which passed Third Reading in the Senate on February 29, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Nakasone, Souki and Takai were excused.)

S.B. No. 521, SD 1	S.B. No. 2861
S.B. No. 1809	S.B. No. 2876
S.B. No. 2034	S.B. No. 2900, SD 1
S.B. No. 2041	S.B. No. 2959
S.B. No. 2141	S.B. No. 3021, SD 1
S.B. No. 2202	S.B. No. 3028
S.B. No. 2226, SD 1	S.B. No. 3088
S.B. No. 2312	S.B. No. 3109, SD 1
S.B. No. 2314, SD 1	S.B. No. 3130, SD 1
S.B. No. 2523, SD 1	S.B. No. 3190
S.B. No. 2675, SD 1	S.B. No. 3196
S.B. No. 2714	

INTRODUCTIONS

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

Representative Har introduced the 3rd, 4th and 5th grade students of Maukalani Elementary School in Kapolei. They were accompanied by their Counselors, Mrs. Arisa Domingo and Ms. Tammy Sakato; and PCNC Coordinator, Kahi Teson.

Representative Sagum introduced Mr. Mel Wills of Holoholo Charters on Kauai.

Representative Ito introduced his friend and Kaneohe resident, Mr. Glenn Ida with the Hawaii Teamsters and Allied Workers, Local 996.

Representative Meyer introduced Ms. Kat Brady, advocate for children of incarcerated parents.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
95	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
96	Committee on International Affairs, then to the Committee on Tourism & Culture
97	Committee on Public Safety & Military Affairs
98	Committee on Transportation, then to the Committee on Finance
99	Committee on Agriculture, then to the Committee on Higher Education
100	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce
101	Committee on Higher Education, then to the Committee on Finance
102	Committee on Consumer Protection & Commerce
103	Committee on Consumer Protection & Commerce
104	Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
105	Committee on Legislative Management, then to the Committee on Finance
106	Committee on Economic Development & Business Concerns, then to the Committee on Higher Education

H.C.R. Nos.	Referred to:
112	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
113	Committee on International Affairs, then to the Committee on Tourism & Culture
114	Committee on Public Safety & Military Affairs
115	Committee on Transportation, then to the Committee on Finance
116	Committee on Agriculture, then to the Committee on Higher Education
117	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
118	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce
119	Committee on Higher Education, then to the Committee on Finance
120	Committee on Consumer Protection & Commerce
121	Committee on Consumer Protection & Commerce
122	Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
123	Committee on Education, then to the Committee on Finance
124	Committee on Economic Development & Business Concerns, then to the Committee on Higher Education

The following bills were referred to committee by the Speaker:

S.B. Nos.	Referred to:
1815, SD1	Committee on Consumer Protection & Commerce
2103, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing
2408, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary

3170, SD1 Committee on Agriculture, then to the Committee on Education, then to the Committee on Finance

3248, SD1 Committee on Transportation, then to the Committee on Judiciary

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading and Final Reading on the basis of a modified consent calendar. (Representatives Nakasone, Souki and Takai were excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members at this time there will be no discussion on those measures or items that were agreed to by this body for placement on the Consent Calendar. Does everyone understand that?"

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 740-08) recommending that H.B. No. 1101, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1101, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 741-08) recommending that H.B. No. 2699, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2699, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 742-08) recommending that H.B. No. 3023, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3023, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 743-08) recommending that H.B. No. 2618, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2618, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC INFRACTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 745-08) recommending that H.B. No. 1984, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1984, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 747-08) recommending that H.B. No. 2347, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2347, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 751-08) recommending that H.B. No. 2436, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2436, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support. This measure is not an attack on cultural practices nor is it a prohibition on an activity that many people enjoy. Indeed, many people expect fireworks on major holidays such as New Year's Day, Chinese New Year's, and the distinctly American Fourth of July. The H.D. 2 of House Bill 2436 merely clarifies the statute that already exists and makes known that we as a legislative body recognize the importance of respecting those who are adversely affected by fireworks due to smoke and noise.

"In addition Mr. Speaker, District 40, my district, is slated for large-scale urban development. It is necessary to have clear delineation between fireworks activities that are legal and those that are illegal. With a large population living in close quarters, sometimes courtesy is not enough to mitigate noise, smoke, and fire hazards. It is important for my constituency to clearly recognize when they are within their rights to take issue with firework use.

"For these reasons, Mr. Speaker, I stand in strong support of HB 2436."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2436, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 752-08) recommending that H.B. No. 2421, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2421, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary

presented a report (Stand. Com. Rep. No. 754-08) recommending that H.B. No. 2960, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2960, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 757-08) recommending that H.B. No. 2372, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2372, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure will streamline the process for those interested in investing in our beautiful State. Allowing people who have dealt with specific developers in other states to buy property from those developers will ensure accountability in sales, as well as facilitate the growth of trusting relationships between buyers and their chosen realtors. The American Resort Development Association also submitted testimony that they were cognizant of the effect on local residents and prospective buyers, and they are more than happy to work with the Department of Commerce and Consumer Affairs to mitigate possible negative effects. As such Mr. Speaker, this bill is still a work in progress and deserves our support for further consideration.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2372, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 762-08) recommending that H.B. No. 2467, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2467, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 764-08) recommending that H.B. No. 2626, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2626, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. No. 2626. This bill designates the Hawaiian monk seal as the official State mammal of Hawaii. The Hawaiian monk seal is the only marine mammal whose entire range is within the United States. Unfortunately, the Hawaiian monk seal has been an endangered species since 1976.

"The population of the seals has been in decline for the past 20 years and only 1,200 of them remain. This number is expected to decrease over the next five years to 1,000. Designating the Hawaiian monk seal as the official State mammal would help raise public awareness of the plight of the seal and bolster support for the National Oceanographic and Atmospheric Administration's and the Department of Land and Natural Resource's conservation efforts. Similar conservation efforts were successful when the humpback whale was designated as the State marine mammal. Therefore, I ask my fellow colleagues for your support on this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2626, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DESIGNATION OF THE HAWAIIAN MONK SEAL AS THE STATE MAMMAL OF HAWAI`I," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 773-08) recommending that H.B. No. 3310, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3310, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji's written remarks are as follows:

"In support. This bill seeks to strengthen and improve the agriculture industry, expand employment opportunities for residents, and stimulate the economy by appropriating grant money to the Hawaii Farm Bureau Federation to conduct agricultural research and development. The Farm Bureau is an important voice for farmers, ranchers, and other agricultural producers.

"Hawaii agriculture is no longer represented by large plantations that could fund research and development privately. Instead, many of the producers today are small business entrepreneurs who do not have the capacity to fund private research and development projects. The Farm Bureau's programs compliment existing efforts in institutions such as the Hawaii Agricultural Research Center, the University of Hawaii's College of Tropical Agriculture, and the Department of Agriculture on various agricultural research and market development initiatives. Together, these organizations and agencies cooperate on research projects to improve the production of Hawaii crops- minimizing overlap and assuring the broadest range of research assistance for today's agricultural community. This body should support their collective cause through the efforts of the Hawaii Farm Bureau Federation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3310, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 774-08) recommending that H.B. No. 3425, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3425, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 775-08) recommending that H.B. No. 2163, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2163, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. The measure provides for more efficient financial operations at the University of Hawaii by limiting the University's duty to pre-audit payments that amount to $10,000 or more.

"Currently the University is required to pre-audit all proposed payments. The task of pre-auditing requires the pre-audit unit in charge of conducting the pre-audit to manually review each and every transaction for its legality, propriety, and conformity to policies and rules and regulations. The unit must also manually review the adequacy of any supporting documentation. Further compounding the matter is the need for a quick turn over in the payment process to avoid any penalties. This is a difficult task given the University's staffing shortage and resource constraints.

"Mr. Speaker, the passage of this measure will allow the University to redesign its pre-audit program and to utilize its resources more effectively. This measure would focus their auditing efforts to selectively identify transactions having higher risks of abuse or those that are more likely to contain errors, thereby resulting in a more thorough pre-audit review and a reduction in the amount of erroneous payments."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2163, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 776-08) recommending that H.B. No. 2164, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2164, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"The growing number of families afflicted by cancer has increased the need for cancer research and care in Hawai`i. This bill will ensure that the Cancer Research Center of Hawai`i (CRCH) is adequately funded to continue in this endeavor.

"The Cigarette Tax will continue to be the primary source of their revenue, but by giving the CRCH authority to make capital expenditures and source other streams of revenue, we will be advancing the finances and capacity of the CRCH, and we will be coming one step closer to finding a cure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2164, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 777-08) recommending that H.B. No. 2166, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 782-08) recommending that H.B. No. 2696, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2696, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 784-08) recommending that H.B. No. 3398, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3398, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Manahan's written remarks are as follows:

"The Filipino community has grown since their arrival to Hawaii 101 years ago. Approximately one out of every four Hawaii residents is of Filipino ancestry, consisting of over a quarter of a million people.

"Hawaii has the fourth highest percentage of immigrants in the country. Of the 212,229 foreign-born residents in Hawaii in 2000, almost half (48 per cent) were from the Philippines. More than 40 per cent of Filipinos living in Hawaii are under the age of 25. About 36,595 Filipino students (21 per cent) are enrolled in Hawaii's public school system, in grades kindergarten through 12.

"However, despite their representation in the general population and in elementary and high school, Filipinos are underrepresented in higher education. Filipinos represent 21 per cent of the public school enrollment, yet only 15 per cent of the Filipino population 25 years of age and over has earned a bachelor's degree or higher, placing Filipinos below all other major ethnic groups in Hawaii in terms of higher education.

"Although underrepresented among the student population at Windward Community College (six per cent), University of Hawaii at Hilo (five per cent), and University of Hawaii at Manoa (eight per cent), Filipino student representation is more substantial on the following campuses: Hawaii Community College (13 per cent), Honolulu Community College (21 per cent), Kapiolani Community College (14 per cent), Kauai Community College (23 per cent), Leeward Community College (26 per cent), Maui Community College (18 per cent), and the University of Hawaii at West Oahu (14 per cent).

"A significant issue for Filipino students and the Filipino community is the availability and stability of curriculum offerings in the Philippine languages, as well as course offerings on Filipino-American ethnic and Philippine studies. The three major Philippine languages that are prevalent in Hawaii are Filipino, Ilokano, and Cebuano. There is an important need to increase the representation of Filipino students and professionals trained in the Philippine languages and cultures who can work in the area of education, health, legal services, and commerce. Offering courses in the Philippine languages and cultures on University of Hawaii campuses will increase academic interest and student success. Providing these educational opportunities at the various campuses is consistent with the University of Hawaii's strategic plans and is responsive to state needs.

"The University of Hawaii boasts the largest number of students on any United States college campus enrolled in a Philippine language course, and the University of Hawaii at Manoa is the only institution that offers a Bachelor of Arts degree in the languages and literature of the Philippines. Leeward Community College offers Philippine studies courses, and Kapiolani Community College offers lectures on

Philippine languages. However, Filipino students and community leaders have expressed concern that these courses are not offered on many of the University of Hawaii system campuses.

"There has been strong interest at Kauai Community College and Hawaii Community College to have language courses taught onsite and complemented by online instruction. In addition, the University of Hawaii at Hilo is also interested in offering Philippine-related courses. Filipinos at the University of Hawaii at West Oahu have expressed interest in Hawaii ethnic studies and service learning courses. Expertise is available at the University of Hawaii at Manoa campus to assist in developing the curriculum of these language courses, as well as Philippine courses and ethnic studies and service learning opportunities.

"Funding is needed for partnerships between student affairs units working with recruitment and retention issues and academic units that can offer Philippine language courses and ethnic studies and service learning projects, as well as for the development of partnerships with the public schools, other University of Hawaii campuses, community groups, and government agencies.

"The Oahu Filipino Community Council, Filipino American Citizens League, Nursing Advocates & Mentors, Inc., Congress of Visayan Organizations, Hawaii Interpreter Action Network, National Federation of Filipino American Associations Region XII, United Filipino Council of Hawaii, Philippine Nurses Association-Hawaii, Filipino Coalition for Solidarity, UNITE HERE! Local 5, and several concerned individuals testified in support of this bill.

"Not only is it important to recognize the efforts of all those who sacrificed and contributed to crafting our State, but institutionalizing their knowledge so that future generations may learn of their achievements is equally vital to the health and well-being of all of Hawaii's cultures.

"For these reasons, I strongly support this measure."

Representative Karamatsu's written remarks are as follows:

"I rise in support. I believe we need to have curriculum offerings in the Philippine languages, as well as course offerings on Filipino-American ethnic and Philippine studies in the University of Hawaii system.

"The three major Philippine languages that are prevalent in Hawaii are Filipino, Ilokano, and Cebuano. There is an important need to increase the representation of Filipino students and professionals trained in the Philippine languages and cultures who can work in the area of education, health, legal services, and commerce. Offering courses in the Philippine languages and cultures on University of Hawaii campuses will provide educational opportunities at the various campuses and support our State's needs. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3398, HD 3, entitled: "A BILL FOR AN ACT RELATING TO FOREIGN LANGUAGE PROGRAMS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 785-08) recommending that H.B. No. 2271, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2271, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 793-08) recommending that H.B. No. 2698, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2698, HD 3, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 796-08) recommending that H.B. No. 2917, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2917, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 797-08) recommending that H.B. No. 2955, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2955, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 799-08) recommending that H.B. No. 2228, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2228, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COMMUNITY-BASED ECONOMIC DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 803-08) recommending that H.B. No. 2939, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2939, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji's written remarks are as follows:

"In support. The purpose of this bill is to support the building of an aerospace industry in Hawaii by continuing to provide funding for the Pacific International Space Center for Exploration Systems (PISCES).

"PISCES will strengthen the University of Hawaii as a center of excellence for aerospace-oriented education in science, technology, engineering and mathematics - the fundamental STEM disciplines. In addition PISCES could expand tourism opportunities as space exploration captures the imagination and interest of the international public, and also help establish our State as a vital resource for the planning, development, and implementation of future space exploration missions.

"PISCES' goal is to be completely self sustaining over the next three to four years. However, in order to achieve this, the Center needs continued State support during this critical period in its

development. The funding requested through HB 2939 will provide sustained staff support for PISCES, enable logistical support for the annual PISCES conference and student design competition, and develop grant proposals for continued NASA funding, among other goals.

"PISCES' focused efforts on potential careers in science, technology and space offers a unique opportunity to Hawaii to be on the cutting edge of technological advances in aerospace development, and should be supported."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2939, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 804-08) recommending that H.B. No. 3085, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3085, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 805-08) recommending that H.B. No. 3348, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3348, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 807-08) recommending that H.B. No. 2242, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2242, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COUNTIES," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Meyer voting no, and Representatives Nakasone, Souki and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 808-08) recommending that H.B. No. 2253, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2253, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 875-08) recommending that H.B. No. 524, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 524, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD WELFARE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 877-08) recommending that H.B. No. 3331, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3331, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 878-08) recommending that H.B. No. 2735, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2735, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 880-08) recommending that H.B. No. 2797, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2797, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KALOKO HOUSING PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 882-08) recommending that H.B. No. 3059, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3059, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 883-08) recommending that H.B. No. 3139, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3139, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 885-08) recommending that H.B. No. 2412, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2412, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 886-08) recommending that H.B. No. 2576, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2576, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 888-08) recommending that H.B. No. 2004, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2004, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A STUDY ON ENERGY EFFICIENT TRANSPORTATION STRATEGIES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 890-08) recommending that H.B. No. 2330, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2330, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC VEHICLES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 895-08) recommending that H.B. No. 3151, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3151, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 897-08) recommending that H.B. No. 509, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 509, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu's written remarks are as follows:

"I am in support. I want to thank Speaker Emeritus Joseph M. Souki for inserting the language for this bill in one of his short form bills available to Chairpersons. I made the request on behalf of a concerned citizen.

"This bill would prohibit a towing company from charging the owner of a vehicle hooked up for towing if the owner of the vehicle appears on the scene. Currently, a towing company can charge the owner of a vehicle if it is hooked up.

"In the case of a difficult hookup, meaning an above or below ground hookup in a multilevel facility, a towing surcharge of $30 shall be applicable. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 509, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 900-08) recommending that H.B. No. 3109, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3109, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 901-08) recommending that H.B. No. 2810, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2810, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji's written remarks are as follows:

"In support. This bill seeks to support agriculture by, among other things:

(1) Requiring water rates for farming operations to be established by agreement between the farming operation and the water supplier; and

(2) Requiring the Public Utilities Commission (PUC) to establish just and reasonable water rates if the farming operation and water supplier fail to agree on the rate.

"As our agricultural industry transitions and the irrigation systems that once serviced large mono-crop industry begin to service other smaller farm operations, it is important that affordable and reasonable agricultural rates are provided.

"Current amendments to this bill include provisions to:

(1) Authorize the PUC to establish preferential rates for potable water used for agricultural activities in a public utility's service area;

(2) Require public utilities, upon application and proof of qualification, to provide preferential rates for potable water used only for agricultural activities; and

(3) Allow the preferential water rates to be subsidized by the water rates charged to other customers of the public utility.

"For further consideration it is suggested that applications for preferential water rates under this bill as amended should be determined within 180 days from the date of application. I encourage my colleagues to support this bill and allow it to move forward."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2810, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 902-08) recommending that H.B. No. 2559, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees

was adopted and H.B. No. 2559, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 908-08) recommending that H.B. No. 2369, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 910-08) recommending that H.B. No. 1989, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1989, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 1989. Opponents of this measure may say that House Bill 1989 creates another fund within the Office of Veterans Services. As the Office of Veterans Services testified however, their fund is designed and earmarked specifically for the Hawai`i State Veterans Cemetery.

"Mr. Speaker, we as a population need to move past the perception that our veterans only deserve consideration once they have passed on. The Veteran's Gift Trust Fund would be the repository that private individuals, the business community, and perhaps even the Legislature could allocate monies into as a small token of our appreciation. The money could then be used more generally for the respect and remembrance of those veterans who have passed and the care and support of those who remain.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1989, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 911-08) recommending that H.B. No. 2555, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2555, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support of this bill.

"The Civil Air Patrol is the kind of organization that we should wholeheartedly support. From flying tsunami warning sorties, assessing natural disaster damage, assisting with drug eradication reconnaissance, conducting search and rescue, to running a successful youth leadership cadet program, this dedicated corps of volunteers needs only a small appropriation to cover their expenses. By providing resources to this kind of nonprofit organization, we are providing vital services to the State of Hawai`i -- for pennies on the dollar. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2555, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CIVIL AIR PATROL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 913-08) recommending that H.B. No. 2302, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2302, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 915-08) recommending that H.B. No. 3016, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3016, HD 3, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 916-08) recommending that H.B. No. 3175, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3175, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 918-08) recommending that H.B. No. 2261, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2261, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji's written remarks are as follows:

"This bill would establish a loan program to provide financial assistance to farm producers involved in sustainable energy production.

"Farms, or agricultural lands, offer the natural resources and land to best pursue alternative energy farm production. Some farmers have access to natural resources on their land that can produce energy for the farm so that they can be either self-contained and/or less dependent on county power, and therefore reduce their power expenses. However, these farmers lack the financial assistance to carry out this innovative program that would allow them to further diversify their operations.

"Offering this agriculture loan program will reduce Hawaii's reliance on fossil fuels, decrease farm production costs, and create new business opportunities for farmers interested in alternative energy production."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2261, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 920-08) recommending that H.B. No. 2971, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2971, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 923-08) recommending that H.B. No. 2207, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2207, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR DISASTER RELIEF," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 926-08) recommending that H.B. No. 1476, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1476, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 927-08) recommending that H.B. No. 1993, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1993, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 928-08) recommending that H.B. No. 2283, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2283, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOO ARTISTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 929-08) recommending that H.B. No. 2888, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2888, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 930-08) recommending that H.B. No. 2047, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2047, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 932-08) recommending that H.B. No. 3058, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3058, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOUSING LOAN AND MORTGAGE PROGRAM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 933-08) recommending that H.B. No. 3403, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3403, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 935-08) recommending that H.B. No. 523, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 523, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 936-08) recommending that H.B. No. 2492, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2492, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of HB 2492 regarding Planned Community Associations.

"The purpose of this bill is to protect homebuyers by requiring property restrictions or conditions of use to be included in a seller's disclosure statement.

"By amending the definition of "disclosure statement" in Chapter 508D, Hawaii Revised Statutes, Section 508D-1, "Definitions" will clarify what the seller needs to disclose before the sale of a property.

"In particular, if the residential real property being offered for sale is in a planned community, the seller must prepare a disclosure statement for the buyer which includes the planned community declaration and association documents.

"This bill will help Hawaii's consumers purchase residential property with confidence that they are receiving all the information necessary to assist them in evaluating the potential purchase.

"I urge the members to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2492, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED

COMMUNITY ASSOCIATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 939-08) recommending that H.B. No. 2020, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2020, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR SMALL BUSINESS DEVELOPMENT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 941-08) recommending that H.B. No. 2795, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2795, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 942-08) recommending that H.B. No. 2009, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2009, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 943-08) recommending that H.B. No. 2543, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2543, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR A SHOOTING RANGE IN WEST HAWAII ON THE ISLAND OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 951-08) recommending that H.B. No. 1890, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1890, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR HEALTH CARE SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 952-08) recommending that H.B. No. 2727, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2727, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 953-08) recommending that H.B. No. 2306, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2306, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 954-08) recommending that H.B. No. 2605, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2605, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This measure provides equity for National Guard members who reside in Hawai`i. Other states have recognized the commitment of these servicemen to the state and the country. Given our isolation from the continental United States, in the event of a major disaster or emergency the Guardsmen deployed here are the primary support to first responders. This measure would not only provide the recognition that National Guard members receive from other states; it would also come at a very minimal cost. Therefore, I ask my colleagues to support this measure.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2605, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ARMED SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 955-08) recommending that H.B. No. 2763, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2763, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 956-08) recommending that H.B. No. 2857, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2857, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 957-08) recommending that H.B. No. 2550, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2550, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Morita's written remarks are as follows:

"Mr. Speaker, I have concerns regarding this bill which increases the eligible customer-generator capacity from not more than fifty kilowatts to two hundred and fifty kilowatts in 2008, five hundred kilowatts in 2009 and one megawatt thereafter. During the 2001 Legislative Session, Act 272 established a true, single meter net-metering law with the maximum capacity set at 10 kilowatts. The measure took into careful consideration the subsidization of net-metered units by the Hawaii's ratepayer which was determined to be nominal to the ratepayer, possibly less than $5 per year, per household, in order to promote the usage of renewable energy resources. The proposed increases in this bill have not gone through a thoughtful analysis to determine the fiscal impacts to Hawaii's ratepayers.

"Secondly, Hawaii's island grids are small and have unique challenges. As these proposed larger net-metered systems are utilizing unfirm renewable resources it will ultimately be the responsibility of the utility to provide a reliable source of power to the net-metered system. The cost of this reliability is paid for by the Hawaii ratepayer who may be asked to shoulder a larger burden of the cost to promote renewables than necessary.

"Given the analysis required to ensure that costs for reliable electricity is distributed among all ratepayers fairly and equitably, the Legislature gave latitude and direction to the Public Utilities Commission to determine future modifications to the net metering law. Therefore, I believe the correct arena for making changes to the net metering law should be the Public Utilities Commission."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2550, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 958-08) recommending that H.B. No. 2862, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2862, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIND ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 962-08) recommending that H.B. No. 2757, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2757, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I stand in strong support of HB 2757 HD 2.

"The purpose of this bill is to ensure the continuation and strength of Hawaii's health care safety net.

"This bill would authorize the issuance of special purpose revenue bonds (SPRBs) in a total amount not to exceed $40,000,000, for the purpose of assisting Hawaii Medical Center; and repeals the authorization to issue SPRBs on June 30, 2020.

"This bill would help the Hawaii Medical Center, formerly St. Francis Hospitals fund capital improvements, equipment, supplies, materials or working capital. This bill would provide the State with a strategic tool to enable hospitals to respond effectively to Hawaii's need for quality, affordable healthcare to its most under-served patients.

"Hawaii Medical Center West, formerly St. Francis Hospital West is the only major medical provider for the entire Leeward side of the Island. The Second City of Kapolei and the entire Leeward and Central Oahu areas are growing in population and Hawaii Medical Center plays a pivotal role in the provision of critical emergency and medical services for a very large area of Oahu. Its continued existence is vital to the people of West Oahu.

"One year ago, more than 100 local physicians came together to not only save the former St. Francis Hospitals but also to help perpetuate their charitable values. The Sisters' mission was to provide service to the poverty-stricken, poor and economically challenged for the State of Hawaii. However, even with its non-profit and tax-exempt status, St. Francis was in serious financial difficulty due to servicing this indigent patient population.

"When these Good Samaritan doctors assumed the management of the hospitals, they found the hospitals were in even worse financial shape than they had anticipated. HMC was forced to make hard decisions and difficult sacrifices to keep the hospitals going. They have worked long and hard to improve its operations and become more efficient.

"HMC is struggling to provide services to a large number of Medicare/Medicaid patients whose government reimbursement does not generally cover the cost of care. Currently, 70 percent of HMC's patients are Medicare/Medicaid and uninsured, a higher percentage than the other local hospitals are experiencing.

"HMC needs support for its efforts to remain solvent during this transition period – so they can continue to provide medical services to this underserved population. HMC is not only seeking to become more efficient, but is committed to reinvesting in its facilities, operations and services in order to serve this rapidly growing destitute patient population.

"The survival of Hawaii Medical Center is critical, as they service 8,000 in-patients for over 75,000 patient days annually. This does not include the thousands of outpatients that are also served annually and the unique services provided by HMC that other hospitals are not able to absorb. In addition, HMC employs over one thousand employees who contribute hundreds of thousands of dollars in federal and state income taxes that help support the economy of our State.

"Committed to the public interest, the Good Samaritan doctors took the ultimate step in purchasing the hospitals because they did not want to see our community lose these important institutions, nor did they want to deprive our patients of affordable healthcare. In addition, they did not want to see our community lose this organization's unique services that are based on the moral and ethical values of serving the poor and needy that had always been the mission of the Sisters of St. Francis.

"If they are going to solve the health care crisis that confronts our State and provide a safety net for the uninsured and the underinsured, it is going to take a bold vision, creative innovation and timely investment, both public and private. Nonetheless, establishment of a program to make or guarantee loans for construction or renovation of hospital facilities, acquisition of new medical technology and other uses, will help the State ensure that quality, affordable healthcare continues to be available to society's most vulnerable.

"It would give the State the tools it needs to ensure many of Hawaii's most vulnerable populations will continue to have access to healthcare. I sincerely believe that your support for such a program would be in the best public interest.

"Mr. Speaker, I urge my colleagues to support this worthy measure and ask for the authorization date of June 2020."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2757, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOSPITALS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 965-08) recommending that H.B. No. 2051, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2051, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION FOR FOSTER CHILDREN," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 966-08) recommending that H.B. No. 2816, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2816, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support for HB 2816,H.D. 2.

"The journey out of substance abuse is a long and arduous path. Clean and sober homes have become the last step in a series of programs to transition individuals back into the mainstream. The Department of Health had supported the intent, yet believed oversight should not be the responsibility of this agency.

"The premise of this bill resulted from constituent concerns surrounding these homes where there was virtually no oversight. When long time residents became concerned about 'new neighbors' moving into a once quiet neighborhood and causing havoc – loud music late at night, increased traffic in and out of roadways, fights breaking out during early morning hours, no one was able to assist.

"The City stated that it was not within their jurisdiction – go see the State. The State stated that it was not their responsibility – go see the City. Residents became increasingly frustrated.

"Testimony from the Department of Health stated that clean and sober homes should be treated like those homes where college students rent rooms. I beg to differ. This bill will help to monitor the on goings of those in treatment similar to those who reside in halfway houses. Overall this bill becomes a win–win situation for all concerned. The Department of Health will be able to ensure the safety of residents in clean and sober homes. This bill will help the neighborhood in where they live. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2816, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SUBSTANCE ABUSE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 967-08) recommending that H.B. No. 3399, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3399, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHAPTER 346, HAWAII REVISED STATUTES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 968-08) recommending that H.B. No. 584, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 584, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 969-08) recommending that H.B. No. 2778, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2778, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAX CREDITS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 971-08) recommending that H.B. No. 2326, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2326, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 979-08) recommending that H.B. No. 3168, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3168, entitled: "A BILL FOR AN ACT RELATING TO UNEMPLOYMENT CONTRIBUTION RATES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 981-08) recommending that H.B. No. 3107, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3107, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support. Continuing our efforts to protect Hawai`i's real estate consumers, this bill will fill in the gaps and close loopholes in our owner-builder exemption laws.

"By explicitly requiring that all owner-builders use licensed subcontractors for any structural improvement requiring a county building permit, we will ensure that they receive the highest standard of service from the building trade industry, while also curbing much of the unlicensed contractor activity occurring in the State.

"Additionally, this bill requires that any home constructed or renovated by an owner-builder must have this fact disclosed to potential buyers. Through this, we will be protecting consumers and their right to make informed purchases. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3107, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OWNER-BUILDER

PERMITS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 982-08) recommending that H.B. No. 2139, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2139, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 983-08) recommending that H.B. No. 2589, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2589, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 985-08) recommending that H.B. No. 3379, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3379, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DOMESTIC VIOLENCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 987-08) recommending that H.B. No. 2366, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2366, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 988-08) recommending that H.B. No. 2519, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2519, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 991-08) recommending that H.B. No. 2441, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 995-08) recommending that H.B. No. 2376, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2376, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 996-08) recommending that H.B. No. 1823, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1823, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BICYCLE AND PEDESTRIAN SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 997-08) recommending that H.B. No. 839, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 839, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of House Bill No. 839, House Draft 1. This measure would authorize an appropriation to survey and map all existing public access ways to shoreline areas throughout the State.

"In recent years, many of our citizens have found it much harder to access beachfront areas for recreational and other purposes. Although Hawaii's laws clearly identify the beach as a public trust resource, mechanisms are not in place to provide equally important protections to the paths, walkways, and trails that lead people to the beach. From high parking fees to no parking at all, private gates to shoreline shrubbery, poor signage to vacation rentals, beachfront resorts to military installations, access to Hawaii's beaches is in serious danger. As a surfer, I have experienced this personally and access once taken for granted in the 70s and 80s is no longer there.

"Yes, it is true that there are a host of regulatory regimes set up to avoid this unfortunate situation, running from federal and State laws to county ordinances, that have been reinforced by the highest courts of our land. But the situation persists and continues to worsen as evidenced by the number of bills introduced in recent years on this subject.

"According to Beach Access Hawaii, Oahu has only 89 beach rights of ways for over a hundred miles of coastline. The distance between these rights of way were measured. Beach Access Hawaii found that some of them were over a half mile apart, even though the county 'standard' as established by the City Department of Planning and Permitting provides that there should be public access every quarter mile of beach in "urbanized" areas.

"Your Committee on Finance received testimony that this problem is occurring throughout the State. At its October 5, 2006 Neighborhood Board meeting, residents of the East Honolulu communities of Aina Haina, Niu Valley and Portlock expressed their concerns that beachfront landowners along the shoreline from Portlock Road to Kahala were denying the public access to the beach with a planned gated subdivision, locked gates, and walls. As such, they voted unanimously to strongly oppose any development that would gate off the access to our beaches that had been traditionally used by residents, fishermen, and surfers. This is occurring on all islands, from South Point on Hawaii Island to Hanalei on Kauai.

"In West Maui, traditional access points have eroded and adjoining private property owners have planted hedges and fenced off adjacent

access points. In Paia, beachfront property owners have planted the shoreline with thorny bushes to scratch Paia Youth Center kids as they laterally access Baldwin Beach Park from the Youth Center.

"As you can see, this bill will greatly assist government agencies in the enforcement of laws intended to protect and preserve the public's right to access the beachfront areas. By appropriating funds to survey and map all existing public access ways to shoreline areas throughout the State, law enforcement agencies will be better able to find the access points that are blocked, identify the persons responsible, if applicable, and prosecute them to the fullest extent of the law. Only then will we truly preserve our peoples' right to access these important natural resources.

"For these reasons, I respectfully urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 839, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS TO BEACHES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 998-08) recommending that H.B. No. 935, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 935, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 999-08) recommending that H.B. No. 2401, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2401, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1001-08) recommending that H.B. No. 2438, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2438, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1002-08) recommending that H.B. No. 3152, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3152, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1003-08) recommending that H.B. No. 2272, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2272, HD 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1004-08) recommending that H.B. No. 2168, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2168, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1006-08) recommending that H.B. No. 2825, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2825, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu's written remarks are as follows:

"I am in support. The development of clean electricity from a renewable and abundant resource, the sun, at a price lower than the market price and independent from oil price fluctuations will help Hawai'i become more self-sustainable and less reliant on fossil fuels. Sopogy, Inc. specializes in the development, manufacture, and distribution of its proprietary concentrated solar power systems that generate electricity.

"This bill would allow the issuance of $35,000,000 in special purpose revenue bonds to assist Sopogy, Inc. in its planning, designing, construction, equipping, and operating of a solar farm power plant on the Island of Oahu. I am proud to see this Hawai'i company play a role in developing our renewable energy industry. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2825, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1007-08) recommending that H.B. No. 2518, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2518, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1009-08) recommending that H.B. No. 2710, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2710, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES,"

passed Third Reading by a vote of 47 ayes to 1 no, with Representative Evans voting no, and Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1010-08) recommending that H.B. No. 3166, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3166, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1011-08) recommending that H.B. No. 2772, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2772, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1012-08) recommending that H.B. No. 1988, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1988, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Herkes' written remarks are as follows:

"Mr. Speaker, I am in strong support of H. B. 1988 H. D. 1.

"Mr. Speaker, the macadamia nut industry, one of Hawaii's largest agricultural enterprises, is in big trouble. When C. Brewer owned and operated Mauna Loa Macadamia, they were processing about 36 million pounds of macadamia nuts per year. Under subsequent owners that amount is now down to about 15 million pounds per year, a difference of about 20 million pounds. Most of those 20 million pounds of nuts are lying on the ground and are worthless. Many of those nuts are from orchards owned by small farmers.

"Africa, specifically the Republics of South Africa and Kenya, are the number 2 exporter of nuts to the United States. They, along with Australia and South America make up much of the missing 20 million pounds.

"Many farmers are considering changing their fields from macadamia to coffee because of the strong prices of coffee. The lag in income, the drawbacks in mechanically harvesting the nuts due to the rocky terrain, and the cost of hand harvesting are cost prohibitive factors that would hurt many small family farms should they opt for such a conversion.

"Mac Farms in South Kona is laying off most of its workers, many of whom have been with the company for up to 19 years. These individuals have been advised that these layoffs could be for up to one year, effectively resulting in termination. Furthermore, these layoffs will have a devastating affect on the South Kona community.

"This piece of legislation provides for a Macadamia Nut Commission with a mandatory assessment on macadamia processors and producers to establish a working group to set a future plan to guide the industry. Among the elements to be pursued as legislation are Country of Origin, Truth in Labeling, and an anti-dumping investigation against the Republic of South Africa and Australia for consideration by both the State and Federal governments.

"The macadamia industry is in strong support of this bill and I ask Members for your unanimous support. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1988, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MACADAMIA NUTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1018-08) recommending that H.B. No. 1969, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1969, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1019-08) recommending that H.B. No. 2017, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2017, entitled: "A BILL FOR AN ACT RELATING TO VOCATIONAL REHABILITATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1023-08) recommending that H.B. No. 2704, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2704, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1031-08) recommending that H.B. No. 1616, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1616, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AQUACULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1040-08) recommending that H.B. No. 2693, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2693, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIAL SELECTION COMMISSION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

THIRD READING

H.B. No. 3305, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3305, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2692, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2692, HD 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2691, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2691, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2697, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2697, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2138, HD 1:

Representative Caldwell moved that H.B. No. 2138, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu's written remarks are as follows:

"I rise in support. The first Saturday of November shall be known and designated as "Caregiver Recognition Day", in recognition of the very significant role that caregivers play in support of Hawaii's elderly and persons with disabilities.

"As used in the proposed legislation, "caregiver" means any person who has undertaken the care, custody, or physical assistance of an elderly or disabled person, including but not limited to compensated or uncompensated family members or other relatives, or any person who has the desire, or a legal, or contractual duty to care for the health, safety, and welfare of an elderly or disabled person, including owners, operators, employees, or staff of long-term care facilities and community home-based institutions. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2361, HD 1:

Representative Caldwell moved that H.B. No. 2361, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu's written remarks are as follows:

"I rise in support. This legislation will require the Department of Agriculture and the Department of Land and Natural Resources collaborate to identify public lands that should be designated important agricultural lands and prepare maps delineating those lands. The Department of Agriculture will manage, administer, and exercise control over any public lands that are designated important agricultural lands, including, but not limited to establishing priorities for the leasing of these public lands within the department's jurisdiction.

"By classifying public agricultural lands as important agricultural lands, we will protect agricultural lands for the production of agricultural produce and other agricultural activities, which helps Hawai'i to be more self-sustainable. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2361, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 3340, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3340, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2611, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2611, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2408, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2408, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2591, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2591, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2729, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2729, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 3002, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3002, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 3040, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3040, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2907:

Representative Caldwell moved that H.B. No. 2907, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I rise to speak with qualified support for this measure and with very serious reservations.

"Mr Speaker, I have such strong reservations about this bill, that I feel I will have to vote against it if the Senate does not adequately amend the measure to address my concerns. This bill is very vague regarding how the funding would be utilized and fails to detail what procedures would be followed and how those procedures would be developed.

"Mr. Speaker, my problems with this bill stem from similar legislative action that was taken by the Hawaii County Council. My objections relate to the manner in which the legislation was passed and how it has been implemented.

"At the heart of my concerns is that prior to passage of the legislation, the hunting community was not adequately consulted, nor was the hunting community included in a meaningful way, in its implementation. Members of the hunting community are some of our best and strongest conservationists and clearly could have played a central role in developing a solution. Because hunting has been associated with subsistence and putting food on the table, they had much to offer in terms of creating strategies or sharing insights.

"In bringing this particular measure before us today, I don't believe that the input of the hunting community has been seriously or meaningfully considered.

"Mr. Speaker, because I believe it to be essential that all of the important voices be part of the discussion I have grave difficulties with this measure. However, I realize that it is still early in the process, as we are not yet at the half-way-point of this legislative session and the Senate still has to scrutinize and approve this measure. Therefore, I will await the manner in which this measure is further discussed and modified."

The motion was put to vote by the Chair and carried, and H.B. No. 2907, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR FERAL PIG ABATEMENT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 3191, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3191, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 1898, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1898, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

H.B. No. 2260, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2260, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII ASSOCIATION OF CONSERVATION DISTRICTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

At 9:22 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 1101, HD 2
H.B. No. 2699, HD 1
H.B. No. 3023, HD 2
H.B. No. 2618, HD 2
H.B. No. 1984, HD 1
H.B. No. 2347, HD 1
H.B. No. 2436, HD 2
H.B. No. 2421, HD 2
H.B. No. 2960, HD 2
H.B. No. 2372, HD 2
H.B. No. 2467, HD 2
H.B. No. 2626, HD 1
H.B. No. 3310, HD 1
H.B. No. 3425, HD 2
H.B. No. 2163, HD 2
H.B. No. 2164, HD 1
H.B. No. 2166, HD 1
H.B. No. 2696, HD 2
H.B. No. 3398, HD 3
H.B. No. 2271, HD 1
H.B. No. 2698, HD 3
H.B. No. 2917, HD 2
H.B. No. 2955, HD 1
H.B. No. 2228, HD 2
H.B. No. 2939, HD 2
H.B. No. 3085, HD 2
H.B. No. 3348, HD 2
H.B. No. 2242, HD 1
H.B. No. 2253, HD 2
H.B. No. 524, HD 2
H.B. No. 3331, HD 2
H.B. No. 2735, HD 2
H.B. No. 2797, HD 1
H.B. No. 3059, HD 1
H.B. No. 3139, HD 1
H.B. No. 2412, HD 1
H.B. No. 2576, HD 2
H.B. No. 2004, HD 2
H.B. No. 2330, HD 3
H.B. No. 3151, HD 2
H.B. No. 509, HD 2
H.B. No. 3109
H.B. No. 2810, HD 1
H.B. No. 2559, HD 2
H.B. No. 2369
H.B. No. 1989, HD 1
H.B. No. 2555, HD 1
H.B. No. 2302, HD 2
H.B. No. 3016, HD 3
H.B. No. 3175, HD 1
H.B. No. 2261, HD 2
H.B. No. 2971, HD 1
H.B. No. 2207, HD 1
H.B. No. 1476, HD 1
H.B. No. 1993, HD 1
H.B. No. 2283, HD 1
H.B. No. 2888, HD 2
H.B. No. 2047, HD 2
H.B. No. 3058, HD 1
H.B. No. 3403, HD 2
H.B. No. 523, HD 2
H.B. No. 2492, HD 1
H.B. No. 2020, HD 1
H.B. No. 2795, HD 1
H.B. No. 2009
H.B. No. 2543
H.B. No. 1890, HD 1
H.B. No. 2727, HD 2
H.B. No. 2306, HD 2
H.B. No. 2605, HD 2

H.B. No. 2763, HD 1
H.B. No. 2857, HD 2
H.B. No. 2550, HD 2
H.B. No. 2862, HD 2
H.B. No. 2757, HD 2
H.B. No. 2051, HD 2
H.B. No. 2816, HD 2
H.B. No. 3399, HD 2
H.B. No. 584, HD 2
H.B. No. 2778, HD 2
H.B. No. 2326, HD 2
H.B. No. 3168
H.B. No. 3107, HD 2
H.B. No. 2139, HD 2
H.B. No. 2589, HD 2
H.B. No. 3379, HD 2
H.B. No. 2366
H.B. No. 2519, HD 2
H.B. No. 2441
H.B. No. 2376, HD 1
H.B. No. 1823, HD 1
H.B. No. 839, HD 1
H.B. No. 935, HD 2
H.B. No. 2401, HD 2
H.B. No. 2438, HD 2
H.B. No. 3152, HD 1
H.B. No. 2272, HD 2
H.B. No. 2168, HD 1
H.B. No. 2825, HD 1
H.B. No. 2518, HD 1
H.B. No. 2710, HD 2
H.B. No. 3166, HD 2
H.B. No. 2772, HD 3
H.B. No. 1988, HD 1
H.B. No. 1969, HD 1
H.B. No. 2017
H.B. No. 2704, HD 2
H.B. No. 1616, HD 1
H.B. No. 2693
H.B. No. 3305, HD 1
H.B. No. 2692, HD 1
H.B. No. 2691, HD 1
H.B. No. 2697, HD 1
H.B. No. 2138, HD 1
H.B. No. 2361, HD 1
H.B. No. 3340, HD 1
H.B. No. 2611, HD 1
H.B. No. 2408, HD 1
H.B. No. 2591, HD 1
H.B. No. 2729, HD 1
H.B. No. 3002, HD 1
H.B. No. 3040, HD 1
H.B. No. 2907
H.B. No. 3191, HD 1
H.B. No. 1898, HD 1
H.B. No. 2260, HD 1

The Chair then announced:

"Members at this time please remember to let the Clerk know which House Bills on the Consent Calendar you will be inserting comments into the Journal, for or against. Basically, I think most comments will be for, since there are not too many noes on the Consent Calendar. This must be done before the adjournment of today's Floor session.

"Does everyone understand that? To submit your comments, the request for written remarks has to be submitted before the end of today's Floor session."

At 9:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:37 o'clock a.m.

At this time, the Chair announced:

"At this time, the Chair would like to note that we will be moving seven measures to the end of the calendar. So within this Ordinary Calendar, the Chair is saying to all of you that we will be moving seven measures to the end of the calendar."

The following measures were announced by the Chair:

Stand. Com. Rep. No. 876-08, H.B. No. 2350, HD 2
Stand. Com. Rep. No. 947-08, H.B. No. 3367, HD 2
Stand. Com. Rep. No. 1020-08, H.B. No. 2823, HD 2
Stand. Com. Rep. No. 1039-08, H.B. No. 3440, HD 2
Stand. Com. Rep. No. 1041-08, H.B. No. 466, HD 1
H.B. No. 1758, HD 1
H.B. No. 3041, HD 1

The Chair continued, stating:

"So those are the seven measures that will be deferred until the end of the calendar. Are we ready to move ahead to Unfinished Business?

"Before we start Members of the House, the Chair would like to finish today's session by at least 4:30 or 5:00. Some of our colleagues will be attending tonight's meeting in Kahuku with the Governor and the community in addressing the Turtle Bay acquisition. So that is my goal, 4:30 to 5:00, if we can complete the people's work by that time so that Members can attend the Governor's meeting in Kahuku."

At 9:43 o'clock a.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 9:47 o'clock a.m.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 744-08) recommending that H.B. No. 464, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 464, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. And thank you for that short recess. Mr. Speaker in regards to Standing Committee Report No. 744, I'm in opposition to this measure. Mr. Speaker what this bill does is, it requires recipients of State funding that provides sexual health education to provide medically accurate, factual information that is age appropriate, and includes education on both abstinence and contraception.

"Mr. Speaker, first of all I just don't believe that we should be cutting off State funding to non-profits wanting to provide abstinence-only sex education programs. I believe that in this State, we have two kinds of parents: parents that believe in abstinence-only programs; and parents that believe in sex education as a whole, which also includes medically accurate and age-appropriate.

"The difficulty that I have is that parents should have a choice on whether or not they want to have sex education, State funded or

federal funded, programs on sex education that contains either or both. And the options shouldn't be dwindled because we choose to mandate and put this requirement on State funding.

"I'm a parent of a teenage daughter and I'm really leery of those terms, 'medically accurate,' or 'age appropriate.' I know my daughter and I spend a lot of time speaking with her and guiding her through a very difficult time. That's a time that needs to be handled very carefully. So not allowing parents that option to have abstinence-only education is wrong.

"The other point about this bill that concerns me, and I hope it was an unintended consequence, this could affect a non-profit that provides a sex education program that is self-funded, but receives State funding for some other program that they have, like services for medically-fragile babies or outreach to homeless. This could jeopardize these programs and funding because of the way that bill is written. It says, 'requires recipients of the State funding in general.'

"Mr. Speaker, I hope that we take a look at this bill again and just realize that some people don't believe that you should give a map to having sex out of marriage, which sometimes that's how sex education is viewed. Thank you."

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

"Mr. Speaker, I rise in support. Very briefly, I just want to counter some of the claims being made by the Minority Leader. First and foremost, this only applies in the event that they are going to be providing sex education. And if they are, what we're saying is that they need to do so in a medically accurate way.

"Previously, and this bill has come up for several years and initially my thought was, 'Well if it's federal money and they're just going to give it to us, what's the real harm?' Because it's better that we get some money, because it's federal money. It's not necessarily our State money that's going toward this'. But after I looked at this recently, I've become more alarmed because the data shows that actually there is reason for concern.

"First and foremost, it's that these abstinence-only programs don't work. There've been two studies, one by the GAO, the Government Accountability Office, who has specifically found that most efforts to stress the effectiveness of abstinence until marriage education, and abstinence-only programs have not measured behavioral or biological outcomes.

"The second report also by a policy research group called Mathematica specifically found that there was actually no difference between the outcomes and findings in youth when they went through an abstinence-only program or necessarily got some information that was more medically accurate. Those things did not necessarily make a difference in terms of bringing down the rates of teenage pregnancy and their knowledge as to the risks.

"And in fact, the more alarming thing I think is that for the first time since 1991, we're we had a spike in teenage pregnancies, we've actually had a rise of 3 percent. This is the first time in over 15 years that there's been an increase in teenage pregnancy. Every year for 15 years, there's been a steady decline because we've been dedicated toward education, toward providing teenagers information so that they can protect themselves from the risks. But unfortunately due to the abstinence-only educational effort and push, that has suddenly changed.

"This is not only a national statistic. When I look at our State Data Book, what we see is since 1996 there's been a steady decrease, 6 percent, 3 percent, 1 percent, 5 percent. But in 2005 there was actually a 4.2 increase in teenage pregnancies, and in 2006 there was an actual 8.8 percent increase in teenage pregnancies. So the real question for us is: Is this acceptance of federal funds actually doing more harm? And I would say that the data shows that it does.

"Eleven states have already moved toward this effort in terms of questioning whether this is an appropriate approach. And so for those reasons I think it's appropriate that our State really take a serious look at this and not just take things on an anecdotal level, but actually look at the data and find whether medically accurate sex education is something that we need in order to prevent teenage pregnancies.

"Even if people, at the end of the day, want to be concerned about things like pro-life or pro-choice, that debate also is somewhat relevant because studies have found that the states that have the biggest decline in abortions, of the known abortions, are those states that have a commitment to real sex education. Those states are New York, New Jersey, Massachusetts, Illinois, California, Oregon, Washington State and the District of Columbia. So when we want to be looking at this from a holistic approach, and really how we want to be approaching this so that we can take care and make sure that we are doing things, not only evidence-base, but for all of our principles, then this is something we should be taking a serious look at. Thank you."

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

"Yes, just in rebuttal in opposition, Mr. Speaker. We can look at data in many different ways. Many people will come up with data that will refute that. The previous speaker said that one of the studies said that there was no difference between abstinence education and the sexually accurate education. So I'm saying just from that report alone, then why are we discriminating against the abstinence-only education.

"We talked about an increase in the last 15 years. I remember 15 years ago you could catch a City bus and there'd be ads about teen pregnancy and abstinence or contraception, there were ads on television. It was a national movement I know, 15 years ago. We're talking about it all the time, so perhaps those numbers are kind of skewed because we're not talking about it enough in a public setting, not just in the schools, but all over Hawaii and in the nation. So I think some of those numbers are not quite accurate.

"And on a religious point, I want to reveal I am Catholic, but I personally do not see a problem with sexually accurate education or abstinence education in my family. However, I'm increasingly concerned we are continually going after the beliefs of Catholics in this Legislature. Not only this particular bill, but also in a later bill that forces a Catholic hospital to serve what they believe is an abortion pill. Our Constitution of the United States of America gives us this great freedom of religion and the way that we're trying to force this type of education, on not just Catholics, but religious families, to me is wrong.

"We basically are saying to a parent that is religious, whether they're Buddhist or Mormon or Catholic or Protestant or other Christian, that them teaching their children abstinence-only education based on their religious beliefs, according to this Legislature is just wrong. And you know what? We're going to stick it to you. We're going to take away this abstinence-only education from the public setting. We're no longer going to give you that option because you don't have a right to teach your children abstinence-only education. And you know what? We're going to stick it to the federal government too, because we don't want their money, because we're going to force every child to believe what we want our children to believe."

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

"Mr. Speaker, I rise with reservations. Mr. Speaker I rise with the challenge of, 'Let's see what the data says.' And I would like to give this a slightly international perspective, particularly through the experience of Uganda.

"Uganda was experiencing almost 1 in 3 people having AIDS. They were going to experience a knockout of the workforce. Their population was going to dwindle. Basically the economy was going to sink. They put together a program, a combination of abstinence, condoms, and Mrs. Museveni, the wife of the President said, 'You need all of these. Don't 'pooh-pooh' the notion of abstinence working.'

"Uganda is now in the low-teens in terms of AIDS incidents, and it's lowering and it's continuing to lower. We don't have the problem in this country that others are suffering from, and other countries that have used abstinence. So if anyone doubts if abstinence works, look at Uganda. Ask Mrs. Museveni. Ask them how they actually went from decimating their population with AIDS, to getting it down. It was a combination. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in strong support. Thank you. I'd like to have the words of the speaker from Aiea adopted as my own. And what I would add to this conversation is that this bill is a bill that students across the State have spoken out in favor of.

"The Hawaii Secondary Student Conference brings students from across the State, from public and private schools, together to decide on issues they feel are important and significant to their lives. They worked very hard during their Annual Conference this past November and they voted unanimously in favor of extending the abstinence based sex education to add and include medically accurate, age-appropriate approach that includes both abstinence and contraception.

"I think when we hear from the students of our State, who know what other students are saying about this issue and know perhaps the ignorance that is among their peers, when they ask for medically accurate factual education, I think we should heed their call. Thank you, Mr. Speaker."

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

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support HB 464 relating to Health – Sexual Health Education.

"This measure seeks to add an amendment entitled, "Section 2. Sexual health education; requirements" to Chapter 321, Hawaii Revised Statutes.

"It will require recipients of State funding that provide sexual health education to provide medically accurate, factual information that is age-appropriate and includes education on both abstinence and contraception. To facilitate the program, each item requirement has been defined.

"In July 2001, the U.S. Department of Health & Human Services released a comprehensive report called "The "Surgeon General's Call to Action to Promote Sexual Health and Responsible Sexual Behavior." The report cited research findings on the effectiveness of various program interventions and the importance of sex education.

"The report is based on scientific evidence and on principles of health promotion and disease prevention, and provides a basis for approaching these challenges. It cited research findings on the effectiveness of various program interventions and sex education. In recognition of these challenges, promoting responsible sexual behavior is included among the Surgeon General's Public Health Priorities and is also one of the "Healthy People 2010" Ten Leading Health Indicators for the nation. The Healthy People 2010 identifies national public health priorities and objectives to be achieved over the next decade.

"This measure focuses on students to make mature and thoughtful decisions that promote healthy sexuality. A sexual education will provide students with the ability to understand and weigh the risks, outcomes and impacts of sexual actions and to practice abstinence when appropriate. When sexual behavior is exercised irresponsibly it can have negative aspects such as sexually transmitted diseases – including HIV/AIDS, unintended pregnancy, coercive or violent behavior. To enjoy the important benefits of sexuality, while avoiding negative consequences, some of which may have long term or even lifetime implications, it is necessary for individuals to be fully informed. To become sexually healthy, we must behave responsibly, have a supportive environment and protect our own sexual health, as well as that of others."

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

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I am still in opposition with just short comments. This whole thing about government taking on the responsibility that parents used to have, or should have. I don't necessarily disagree with the ability to give information medically accurate or age-appropriate. But what about something that is lawful right now. Where would this fall under the sex education curriculum for someone who believes in abstinence only and they're taught, 'Oh well, you know. If you are sexually active, you can go to this particular clinic. They can give you birth control or a pill, or EC contraceptives, or these types of condoms, and you don't have to get permission from your parents.' Where do those types of things fall in regard to medically accurate, age appropriateness? I don't know, and that's why this concerns me.

"The other thing is we're worried about what kids think. Looking around the classroom and saying, 'You know this student and this other student, they really need it. And maybe I need it.' But what are we saying? I would like to hear what parents are saying. Parents are responsible for these kids all the way up until they're 18 years old. I'm very hesitant about negating or passing on that parental responsibility to government. Thank you."

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

"Thank you. I am simply in opposition as I am in support of parents' rights for their children."

Representative B. Oshiro rose to respond, stating:

"Mr. Speaker, still in support. I just wanted to make one point of clarification. A previous speaker said that we seem to have this intent of 'sticking it' to certain religious groups. I find that very offensive, because if we can have an educated debate about data and statistics and what is the right policy approach for our Legislature and our State, that is entirely appropriate. But I think saying that we have this intent of trying to 'stick it' to certain religions, that we're out for them, that we don't agree with their agenda, I find that very offensive and I strongly disagree with that and that characterization.

"If they have data and they want to argue about data and evidence, bring it forward. Bring it on. Thank you."

Representative Pine rose to respond, stating:

"I just want to apologize to the previous speaker for offending him. But Catholic Charities Hawaii has been repeatedly offended themselves. They are given federal funds to operate abstinence-only education. We already have a lot of sexually accurate education going on and they just want to offer a different point of view for

those families that would like to pull their children out of those other programs because of their religious beliefs.

"People don't believe in God based on data. They believe in God based on faith and it is one of the most difficult things to understand for people who are not religious. So I think we should just look back on our Constitution of the United States of America and respect those religions because they are quite frankly, offended."

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

"I want to comment Mr. Speaker, in support. Mr. Speaker I support this bill because it will mean fewer abortions, and I think that's a really good thing. We're going to empower our young women to make good decisions. So I support this bill because I think that's really where we should be heading. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 464, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Finnegan, Meyer and Pine voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 746-08) recommending that H.B. No. 2346, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2346, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"On Stand. Com. No. 746, I'd like to submit comments in support, but comments just pointing out again that it does have an impact on the Department of Public Safety."

Representative Evan's written remarks are as follows:

"Mr. Speaker, I support HB 2346 with reservations because this bill increases penalties and does not include language to determine the potential financial impacts to the Department of Public Safety and their staff."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2346, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 748-08) recommending that H.B. No. 2450, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2450, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker, I'm rising in opposition to this measure. House Bill 2450 requires any reclassification of land contiguous to the agricultural district to the urban or rural district to contain a condition prohibiting non-agriculture development within 300 feet of the property line bordering any agricultural parcel used for farming operations.

"This bill is really unnecessary as the State Land Use Commission already has the authority to strengthen the existing protections on a case by case basis where warranted through the imposition of conditions. It would be in the State's best interest to instead require the reclassification of lands next to an agricultural district. This would carry an acknowledgement of the agricultural activities to be expected in abidance of the Right to Farm Act.

"But also another problem I have with the bill is that it takes away without compensation, the full use of 300 feet of property after the Land Use Commission reclassification and/or county change of zone. Even if just a small part of a parcel is being used for farming operations on the *makai* end of the property, the zone would extend to the *mauka* end as well even though the actual farming activity may be thousands of feet away. This poses the potential of hurting our State's small agricultural businesses.

"This bill may also have an affect on the City's proposals for a rapid transit program as the bill's definition of development includes infrastructure intended to serve residential, commercial or industrial development.

"In closing Mr. Speaker, this bill could make government liable for partial takings, allowing adversely affected properties eligible for compensation, potentially harming our agricultural industry and preventing growth of a modernized Hawaii. Thank you, very much."

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

"Mr. Speaker, can I have a blanket ruling on a conflict of interest for this and other measures. I live on an agricultural subdivision," and the Chair ruled, "no conflict."

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

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

"Thank you, Mr. Speaker. Could you note my reservations for Stand. Com. No. 748 for the same reasons as the Representative from Kahaluu."

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

"Thank you, Mr. Speaker. My reservations also please, for the same reasons as were enunciated by the Minority Floor Leader. Mr. Speaker, and just brief comments. I'm not a rail supporter, as you know. I don't think that's a sensible thing to do. But when you take a look at what this bill could do for any rail stations that happen to be placed by an agricultural parcel, that's going to really create a problem. And I don't know if everyone has thought this through from an Oahu island perspective. Thank you."

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

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

"Reservations for the same reasons."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2450, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives

Marumoto and Meyer voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 749-08) recommending that H.B. No. 2997, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2997, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I'd like a ruling on a potential conflict. In my private law practice, I represent design professionals," and the Chair ruled, "no conflict."

Representative Har then rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 2997, HD1. This bill limits a design professional's liability to no more than that percentage share of damages attributable to the design professional for tort claims relating to the maintenance and design of public highways, except when the design professional's degree of negligence is 25% or more. This bill further clarifies what a design professional is by clearly delineating that a design professional is a professional engineer, architect, surveyor, or landscape architect.

"Anyone who is familiar with the construction industry understands that when there is a claim for defects in any project, there are two types of allegations: (1) claims for construction defects; and (2) claims for design defects. Unfortunately, in many lawsuits involving claims for construction defects, the design professionals are brought into the lawsuit not because of allegations pertaining to design defects, but because design professionals have insurance which can be used towards the cost of settlement, regardless of that design professional's liability.

"Under the legal concept of joint and several liability if a party or individual is found liable, regardless of the percentage of liability attributable to that party or individual, liability will occur. This results in a design professional paying well beyond the percentage of damages attributable to them. The economic risk discourages design professionals from working on projects, including public and highway road projects, thereby limiting the pool of available design professionals willing to work on these projects.

"This bill balances these concerns along with the interests of injured parties by providing that design professionals found to be less than 25% at fault in these types of tort cases will be responsible only for the percentage attributed to them. It is fair and equitable because it allows liability to be placed on the design professional where appropriate while providing for fairness in allocation of risk.

"For these reasons, Mr. Speaker, I rise in support of HB 2997 HD1."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2997, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TORTS," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Berg, Nishimoto and Sonson voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 750-08) recommending that H.B. No. 3011, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3011, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise with reservations and some comments please. Thank you. On Stand. Com. Report 750, I do have reservations. In this last Committee there was no testimony submitted on this bill. It looks like there will be an ignition interlock system in the near future and having this system would negate the reasons for this bill, or the underlying law, as a matter of fact. But changing the phrase from, the applicant is completely dependent on the motor vehicle for the necessities of life, to just the applicant is dependent on the motor vehicle for the necessities of life, will most likely mean that all applicants would be approved.

"A DUI is serious, and unfortunately a DUI does not only affect the person drinking, it affects the universe around them, as we know, innocent lives are being taken because of driving under the influence. What this bill is trying to get at, I think is reasonable, but in light of what's going on in regard in ignition interlock system if it's only going to be a couple years, we're making the Judiciary in their testimony basically create another guidance system to approve these applications. And even at that, it would most likely increase a lot of those applications and we won't really have the ability to say no to them. Thank you, Mr. Speaker."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3011, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Brower voting no, and Representatives Nakasone, Souki and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 753-08) recommending that H.B. No. 2553, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2553, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Yes, I just want to stand with some reservations. I thought this was a really good idea in the Judiciary Committe, but it did get some testimony from an Ewa Beach 'buy and sell' just relating the practical implications to their business. This is a really, really small pawn shop. They don't make a lot of money. It is two retired veterans who are just making a living to get by.

"They said that basically this would really hurt their business. We're talking about being in business for 20 years and less than 1/10 of 1 percent of the items have been picked up by the police. So in other words, you only make, out of $25, 5 percent interest back then. If you add $1.50 plus $1.04 in the general excise tax, plus $.06 for each transaction, the total is $2.60 which leaves them a profit margin of $2.40, which basically would really cut all their business that they're making now in half.

"They don't own a computer Mr. Speaker, because they are two retired, elderly veterans and this bill would require them to buy a computer so that they can do these electronic reportings to the police. So for those reasons Mr. Speaker, I think we should make exceptions for some of these smaller businesses. So I will just vote with reservations."

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

"Mr. Speaker, could you also note my reservations and short comments. I believe that the police need tools like this to identify property criminals, one of the most difficult crimes to solve. But pawnbrokers are businesses too. And if we are to move in this direction, if we could give some transition time for these businesses, that would be helpful. Thank you."

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

"Mr. Speaker, I have the same reservations as the previous speakers. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2553, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PAWNBROKERS AND SECONDHAND DEALERS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 755-08) recommending that H.B. No. 2224, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2224, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in support, but with some reservations on this measure. House Bill 2224 would allow part-time employees to get health coverage, but they would have to pay their own premiums.

"My concern was pointed out by Kaiser Permanente in their testimony where they said these kinds of voluntary pools historically result in higher premiums because of adverse selection. The part-time employees that make the choice to pay for this, more than likely have health problems that they're concerned about. This bill could cause all the premiums for healthcare to go up, both the full-time and part-time employees. This bill could also be the incremental start of mandating healthcare for part-time employees who only work 15 hours a week, and that’s a concern to me. Thank you."

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

"Mr. Speaker, I just wanted to vote with reservations and just explain a little bit further. Can I adopt the comments of the previous speaker?

"Let me use VEBA as a comparison. With VEBA, it's historically known that teachers are a better risk. With that better risk they have better premiums and more benefits. It's similar in regard to what will happen, or you can foresee by adding part-time employees with the ability to voluntarily join because those who would like to have insurance and have not so good health, would probably make that choice to buy the insurance coverage, which in turn will affect the pool. I just wanted to put a little bit of an example in there. Thank you."

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

"Thank you, Mr. Speaker. In support. I find it very hard to listen to people say that we really don't want to insure people and give them extra options for insurance, especially when they're sick because that's just what came out of two Representatives' mouths.

"We're a society and we're going to pay for this one way or another. If we don't insure people, part-time workers, they're going to end up in our emergency rooms. The emergency rooms have very high costs. The hospitals don't get paid and the taxpayers pay it.

"We have to increase our supplement. It's just an impractical way to take care of people. We should insure everyone, and anything that increases insurance for our part-time workers, or our uninsured has my support. Thank you, Mr. Speaker."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. That was extreme. I don't think I said that, Mr. Speaker. So in rebuttal to that, how about if I say to the previous speaker that, 'Why don't we just raise the insurance costs for all of our families,' because that's what the previous speaker mentioned.

"No, Mr. Speaker. If you take a look at what we are talking about, it's about genuine concerns coming from people who are speaking in these Committees that deal with insurance. And yes, I do have reservations because increasing costs for families is a very important issue. Many people, families that I speak of right now, discretionary budgets are going very much down. There is no play money. So any increase in insurance costs is going to be a lot for a family, and that's what I'm talking about. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Hawaii is the only State in the nation that has mandatory healthcare. The Hawaii Prepaid Healthcare Act and it was enacted back in the 70s. The way the wording was in there, part of the bill sounded like they expected a 50-50 sharing where the employee would pay 50 percent and the employer had a cap on, how much of the employees' wage, a percentage of that that they could pay. So in Hawaii today, most small businesses, private businesses are paying 100 percent of the premiums for their employees. This is a real big expense and personally, I'm going to add, a disadvantage with small business people in other states.

"Our small business owners are struggling with this and now we want to add a whole other group in there. You have to have some realistic way of looking at this. Yes, healthcare is important, but there's a lot of things people can do to take care of themselves. Part-time workers are either young, or they may be retired and they have other coverage. I think we should be very careful in what we're doing here. Thank you, Mr. Speaker."

Representative Evans rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans's written remarks are as follows:

"Mr. Speaker, I support HB 2224 with reservations. This is a good idea in theory, but in practice it may impact those who this bill is trying to help.

"In my district, constituents have told me they have many part time jobs because employers are hiring below the threshold of hours worked in a week in order to avoid the law which requires employers to provide health insurance. HB 2224 lowers the hours worked to require the employer to provide health insurance. Hopefully employers will not cut back on hours in order to avoid the cost.

"Speaking of cost, if this bill is to become law, I'm concerned that small businesses may have a difficult time absorbing additional costs of healthcare insurance for their employees. Hawai'i depends on small businesses to provide employment and generate revenue.

Small businesses are essential to our economy and we must support the economic viability of small businesses."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2224, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 756-08) recommending that H.B. No. 2887, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2887, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I just wanted to register my slight reservations on Stand. Com. No. 756 in that the Committee Report says, 'However this bill would allow *Kahuna Kakau* to these procedures, equipment and dyes that are inconsistent with health standards and consequently rules the safety issues that warrant further consideration.' That is my concern."

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

"Thank you, Mr. Speaker. I rise in strong support. House Bill 2887, HD 1, Relating to Native Hawaiian Tattooing is an extremely important bill Mr. Speaker, especially to the Native Hawaiian community. It acknowledges the rights of Native Hawaiians and their practitioners to continue with the tradition that extends back for hundreds of years.

"Earlier concerns surrounding a death that took place from a Samoan tattooing was brought up in a previous hearing. First I would like to state that the practice of Samoan tattooing has many differences than that of our Native Hawaiian counterparts. Native Hawaiian tattooing has had zero instances of death, zero instances of Hepatitis and zero instances of infection. Tools are sterilized in the Native Hawaiian tattoo process, and tattooing is practiced in a clean and safe environment.

"Although issues arose with the Department of Health, a recent meeting with all parties brought everyone closer together. We will continue to work on making this bill a stronger one with the help of my colleague as we move this bill forward. Thank you, very much."

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

"Thank you, Mr. Speaker. I stand in support of Stand. Com. Rep. No. 756. Thank you. May I have the words of the outstanding Representative from Nanakuli entered into the Journal as if they were my own?

"Mr. Speaker, may I proceed with a short statement in support of this measure. *Kahuna Kakau* is an expert in the cultural practice and application of traditional Hawaiian tattooing. Traditional Hawaiian tattooing is part of the Hawaiian culture. As with the hula and the Hawaiian language, *Kakau* should be recognized as a significant cultural right in Hawaii today. Thank you, Mr. Speaker."

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

"In support, and may I have the words of the Representative from Nanakuli entered into the record as if they were my own? And just a real brief comment for some historical perspective.

"I actually introduced this bill last year after going to the Sam Ka'ai Festival in Maui, honoring him, where a Native Hawaiian tattoo practitioner with tears in eyes basically asked us to come up with something as a compromise so that they can pass on this art form to future generations. Because when people, the very few, very few experts who pass on now are gone, it is going to go into the history books.

"This body has made exceptions for Native Hawaiian indigenous architecture with housing, and I think that the Representative from Nanakuli has worked with both the Department of Health and the practitioners themselves and I think this bill strikes a good balance. It basically will keep the Charlatans and the pretenders out, and allow the DOH to go after them while still creating a venue for the proper practice, and more importantly, education of this art form and keep this very important cultural practice alive. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2887, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TATTOOING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 758-08) recommending that H.B. No. 2255, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2255, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

At 10:24 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 464, HD 2
H.B. No. 2346, HD 2
H.B. No. 2450, HD 1
H.B. No. 2997, HD 1
H.B. No. 3011, HD 1
H.B. No. 2553, HD 2
H.B. No. 2224, HD 1
H.B. No. 2887, HD 2
H.B. No. 2255, HD 2

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 759-08) recommending that H.B. No. 2367, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2367, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Souki, Takai and Takamine being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 760-08) recommending that H.B. No. 2503, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2503, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising to speak against House Bill 2503, the agricultural energy facilities measure. Thank you. Mr. Speaker what this bill will do is permit the use of lands in agricultural land use districts to be used for agricultural energy facilities.

"At first glance that sounds like a good idea, but the problem is that this can go a number of ways. One impact can be that our effort to become self-sustainable and grow our food for our tables will be displaced by farmers wanting to grow maybe higher value crops for energy production.

"The larger concern is the climate change impact. I received information from Life of the Land, which I'm going to paraphrase, but I think it's very important for us to note. An intergovernmental panel on climate change is estimating a 39 inch rise in sea levels this century. By the end of this century, and this is important to my Windward colleagues from the 49th and the 51st districts, by the end of the century, Kawai Nui Marsh will be oceanfront property. All that will remain of Kailua town will be a few sand dunes and hills. And for those on the other side of the island, most of Waikiki and Kapiolani Park will be submerged.

"Fossil fuels have received most of the blame for climate change, but as more information is obtained, we're finding that agricultural energy projects have both positive and negative impacts and may all have environmental climate impacts. Biofuels can go both ways and the problem is that House Bill 2503, HD 1, doesn't make that distinction. It just assumes biofuels are great. Let's go ahead and have government support for these.

"But you take a look at some of the information that we've been receiving. The well-respected *Journal on Science* talks about the use of U.S. croplands for biofuels increases green house gases through emissions from land use changes. And then they go on to note how some double the green house gas emissions and increase them for 167 years. Other crops will increase emissions by 50 percent. In other words, this is a road that we really should examine much more carefully before we go ahead with it.

"We're really very vulnerable, Mr. Speaker. We're an island state and if we don't go ahead with the objectives of our Act 234 from last Session to get a grip on this and to get a handle on it, we could be doing some major damage right here in Hawaii and also globally while having our food still being imported from the Mainland or other places because we won't be growing it here in Hawaii.

"So I'm voting no on this bill and also on a later bill Mr. Speaker, that's a biodiesel bill that appears later on the Order of the Day. I really, really ask my colleagues to look at this more carefully. I think it's not the best way to do it, I'd like them to consider it and see whether they feel we should just go a little bit more slowly and take a more serious look at what is being found nationwide and internationally. Thank you."

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

"Thank you, Mr. Speaker. I rise in support of this measure. You know, here in Hawaii we don't have too much of a problem with food competing for energy crops primarily because the amount of fallow agricultural lands that we have. An important component to this is the Bioenergy Masterplan which the State is taking up. In that plan, careful evaluation is being made to energy inputs and energy outputs as we develop bioenergy crops.

"So this bill is really looking at how we can support our agricultural industries better with the incorporation of renewable energy to assist agriculture rather than to compete with agriculture. I have additional comments that I'd like to add to the Journal. Thank you."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I would just like to address some of the concerns and objections to this measure that were raised during the Floor debate. First of all, some of the objections focused on the growing and processing of biofuels. The growing and processing of biofuels is an outright allowable use on agricultural lands. What this measure attempts to clarify is that a renewable project, such as a solar project, that is integrated within an agricultural enterprise shall be an allowable use.

"The purpose section of this measure states that increased energy efficiency and use of renewable energy resources would increase Hawaii's energy self-sufficiency, achieving broad societal benefits, including increased energy security, resistance to increases in oil prices, environmental sustainability, economic development, and job creation.

"To shape Hawaii's energy and agricultural future and achieve the goal of energy and food self-sufficiency for the State, our efforts must continue on all fronts, integrating new and evolving technologies, seizing upon opportunities to become more economically diversified, and providing incentives and assistance to address barriers. It is crucial to address the negative impacts that rising and volatile petroleum prices have on fuel and fertilizer costs.

"The other objection that was raised is biofuel crops will compete with food crops. While this might be the case in some parts of the nation, this surely is not the case in Hawaii where thousands of acres of agricultural lands lie fallow at the present time. Like I mentioned in the Floor debate, how we plan for our agricultural bioenergy future is an important strategy that must be carefully planned, therefore the bioenergy master plan initiated by the Legislature last year is a critical component to this discussion. One of the objectives of the master plan is to ensure that energy crops will not be pitted against food production as both energy and food self-sufficiency are equally important goals for Hawaii's residents."

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

"Mr. Speaker, brief comments in support. And I would like to add the comments from the speaker from Hanalei as if they were my own. Briefly Mr. Speaker, to emphasize what the speaker from Hanalei has stated, in Hawaii you have vast acreage of former cane land that sits fallow. And instead of being turned into agricultural lands to grow energy or food, they are being turned into subdivisions. You see that most recently on Maui by Maalaea, with lands there sought to be rezoned up until very recently were productive agricultural lands.

"This bill is about incentivizing owners so that they can start growing energy crops and allowing facilities to be near where they are growing those crops. We can do nothing, Mr. Speaker. We can sit back and let it sit as it is today and be 94 percent dependent on fossil fuel. This is action taken to try to address that problem and until we use our agricultural lands for other things than growing food, we can then worry about how much food we're going to grow. But to sit there and let it lie fallow, and let it turn into other types of developments is a tragedy that I don't think any of us want to live through. Thank you."

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

"In support. I'd just like to point out that the total acreage devoted to the agricultural activity shall not be less than 90 percent of the total agricultural energy enterprise. I'd just like to highlight that point, and I'd also like to enter written comments."

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill would allow agricultural-energy facilities on agricultural land use districts provided that the primary activity of the agricultural-energy enterprise is agricultural activity. "Agricultural-energy facility" means a facility that generates, stores, or distributes renewable energy or renewable fuel including electrical or thermal energy or liquid or gaseous fuels from products of agricultural activities from agricultural lands located in the State.

"It is important that we increase energy efficiency and the use of renewable energy resources to increase Hawaii's energy self-sufficiency so that we can achieve broad societal benefits, including increased energy security, resistance to increases in oil prices, environmental sustainability, economic development, and job creation. To shape Hawaii's energy and agricultural future and achieve the goal of energy and food self-sufficiency for the State, our efforts must continue on all fronts, integrating new and evolving technologies, seizing upon opportunities to become more economically diversified, and providing incentives and assistance to support agriculture and renewable energy. Thank you."

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

"Thank you, Mr. Speaker. I am voting with reservations and have short comments. Just letting people know that in Committee, and from doing a little bit of research, many of the testifiers are advocating for a broader bill and feel that this is too narrow in scope."

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

"Mr. Speaker, I stand in support. Mr. Speaker, I believe that 60 percent of all our agricultural lands are growing weeds. This bill says, do you want to grow weeds or so you want to grow fuel? I think it’s a good use of what otherwise, we're not using our land.

"And secondly, for the sake for what I believe the Majority Floor Leader noted, we should proceed with data. The Majority Floor Leader who spoke earlier about having data. I don't think we should be scaring the people of Hawaii saying that you're going to be under water by the end of the century unless we've got the data enough to face that we're going to be inundated. Because Mr. Speaker, as all of you know, the last three quarters measurement in this year has had a drop in temperature. I'm not saying it's going to be an ice age, but I'm not saying we should be telling the people of Hawaii that they're going to be under water in a number of decades. Mr. Speaker, let the data talk not the face in what's otherwise is an assumption."

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

"Mr. Speaker, I am in support and I'd like the words of the Majority Leader, since he is referring to Maui, entered into the record as if they were my own. And just another thing for people to keep in mind is that besides growing weeds, these lots are just empty. They become brushfire fuel zones like you wouldn't believe. All these brushfires we've seen that occurred on the Valley Isle were on these parcels themselves. And so anything's better than 'McMansions'. I think the people of Maui can believe that."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2503, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Cabanilla and Thielen voting no, and with Representatives Nakasone, Souki, Takai and Takamine being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 761-08) recommending that H.B. No. 2502, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that H.B. No. 2502, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I rise in support, but have strong reservations regarding this bill, House Draft 2. In testimony from the Department of Agriculture, the Department points out that soil classification alone should not be the sole criteria in making a solar project an allowable use on agricultural lands. Your Committee on Energy & Environmental Protection agrees with that premise.

"Marginal agricultural lands, lands rated D or E, are where you will likely find small farmers, ranchers and unique crops like coffee. The House Draft 2 will cause solar projects to compete with agriculture rather than coexist with agriculture, pitting food protection against energy protection. Unlike wind or hydro projects, which are outright allowable uses on agricultural lands and do not take away from lands being used for agricultural purposes, a large scale solar project will remove the agricultural productivity of that parcel. Therefore, only the agricultural areas that have the highest solar isolation and best siting possibilities should be considered if this bill is to move forward.

"The House Draft 2 opens the door for a free-for-all to solar developers not concerned with the best siting possibilities because their projects will be subsidized with both State and federal tax credits and Hawaii's electrical rate payers, and done at the expense of small farmers and ranchers.

"What we're allowing under this bill is *defacto* spot zoning without any checks and balances, and therefore I have some real concerns. This can be a good bill if it had some criteria other than the land soil classifications. Thank you."

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

"Thank you. I also rise with strong reservations and ask that the words of the Representative from Hanalei be entered as my own. I'd also add Mr. Speaker, that as we look at siting possibilities for solar facilities, there is the possibility that the very best places would be the tops of buildings throughout the urban core so we are not then using precious agricultural lands. So with that I would again express my strong reservations for this bill. Thank you, Mr. Speaker."

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

"Thank you very much, Mr. Speaker. I rise in support. Mr. Speaker the purpose of this legislation is to make the most productive use of marginal, and I say again, marginal agricultural lands by including solar energy facilities as permitted uses within the agricultural district. In its present form, this Majority's package bill on solar energy is also supported by the Hawaii 2050 Sustainable Task Force.

"Mr. Speaker, there appears to be a fear that this legislation will be used to displace farmers who are already farming on agricultural lands classified D and E by the Land Study Bureau's detailed land classification. It is not the intention of this legislation to displace these farmers with solar energy facilities. It is far from it. This legislation only provides the landowner the option to develop solar energy facilities on marginal agricultural lands.

"Mr. Speaker, I also have written comments I want to insert into the Journal. Thank you."

Representative Ito's written remarks are as follows:

"Mr. Speaker, I am in support of Stand. Com. Report no. 761-08, HB 2502, HD 2.

"Mr. Speaker, the purpose of this legislation is to make the most productive use of marginal, I say again – marginal, agricultural lands by including solar energy facilities as permitted uses within the Agricultural District. In its present form, HB 2502, HD 2 is a Majority Package measure on solar energy. This legislation is also supported by the Hawaii 2050 Sustainable Task Force.

"Mr. Speaker, there appears to be a fear that this legislation will be used to displace farmers who are already farming on agricultural lands classified D or E by the Land Study Bureau's detailed land classification. It is not the intention of this legislation to displace these farmers with solar energy facilities – far from it. This legislation only provides the land owner the option to develop solar energy facilities on marginal agricultural lands that no farmer wants to lease or purchase, rather than developing the land for other uses, which is happening today.

"Mr. Speaker, since 2001 the Legislature has made great strides toward reducing the State's dependency on fossil fuels for the production of electrical energy. During the 2001 Legislative Session the Legislature adopted HB 173, which the Governor enacted into law as Act 272. This Act required each electric utility to establish a renewable portfolio standard of:

1. 7% of its net electricity sales by December 31, 2003

2. 8% of its net electricity sales by December 31, 2005, and

3. 9% of its net electricity sales by December 31, 2010.

"Then in 2004, the Legislature adopted SB 2474, which the Governor enacted into law as Act 95. This Act further increased the renewable portfolio standard as follows:

1. 10% of its net electricity sales by December 31, 2010

2. 15% of its net electricity sales by December 31, 2015, and

3. 20% of its net electricity sales by December 31, 2020.

I must commend the past Legislatures for being so forward thinking in regards to renewable energy.

"Mr. Speaker, this legislation is not just about solar energy. It is about the security of the State of Hawaii, as well as the State's ability to survive in the future. Presently, the State receives all of its fossil fuel from locations outside of the United States; such as the Middle East and Indonesia, to name a few. War, civil unrest, invasion by other countries are always a threat in these areas. Today, there are men and women of our armed forces, who are being killed or injured, in foreign countries where wars and civil unrest prevail to protect the fossil fuel supply and to ensure a flowing supply. If and when these fossil fuel supplies to the State of Hawaii are severed we must ask ourselves, 'Are we prepared for such an occurrence?' This legislation only provides a small fraction of the answer to that question. We still have a long way to go to providing self-sufficiency in the area of energy production, mainly the production of electricity.

"Mr. Speaker, I commend my colleague from Kauai for her continual advocacy in pursuing alternative and renewable energy sources. However, I must disagree with my colleague from Kauai, when she places restrictions on solar energy facilities on marginal agricultural lands. Such restrictions will only tend to hinder solar energy development in the State of Hawaii.

"Mr. Speaker, during the hearing by your Committee on Energy and Environmental Protection, HB 2502 was amended to limit solar energy facilities to land:

1. When the total acreage used by the solar energy facility is ten acres or one percent of the parcel, whichever is less;

2. That is located in the vicinity of an existing electrical transmission and distribution systems; and

3. That can generate between:

   A. Eight and fourteen kilowatt hours - per square meter - per day based on solar insolation maps on a two-axis tracking flat map; or

   B. Five and fourteen kilowatt hours – per square meter – per day based on solar insolation maps on a two-axis tracking concentrator system.

"Mr. Speaker, rather than placing any restrictions to limit solar energy facilities on agricultural lands, we should be encouraging the development of solar panels to produce a greater quantity of electrical power per square meter of panel per day under minimal sunlight. With the rapid advancement in technology who is to say that solar panels of the near future will not be able to produce a greater amount of electrical energy per square meter of panel per day on agricultural lands that generate less than between eight and fourteen kilowatt hour per square meter per day, or five and fourteen kilowatt hour per square meter per day based on solar insolation maps on a two-axis tracking flat or concentrated map, respectively. Further, the time may be fast approaching where full production solar energy facilities will be able to fit in a 5-acre parcel.

"Mr. Speaker, an analogy to this is that this Legislature passed legislation that limits the horsepower on vehicles sold in the State of Hawaii to 200 horsepower. The rational behind such legislation is only because vehicles with greater than 200 horsepower give less than 20 miles-per-gallon. Low and behold, advancements in the auto industries have in five years resulted in the production of automobiles of greater than 200 horsepower with engines providing greater than 30 miles-per-gallon. Do we once again change the law? Let us not limit ourselves to the technology of today and look forward to the possibilities of tomorrow and prepare ourselves now for those possibilities and not be reactive when that time arrives.

"Mr. Speaker, let us not short change the residents of the State of Hawaii by placing any restrictions under which a solar energy facility is a permitted use on land in the agricultural district. Let us look forward and be proactive by encouraging the development of solar panels to generate greater electrical power under the most minimal sunlight.

"Mr. Speaker, even if this legislation was to pass today, it will take years before we see a solar energy facility on any agricultural land. During a hearing, Mr. Ted Liu, Director of the Department of Business, Economic Development and Tourism stated, 'If this bill passes this Legislative Session, it will take not less than 10 years, nor more than 15 years, even with a facilitator to expedite the permitting process, before we see the first solar energy facility on any agricultural land.'

"Mr. Speaker, as your Chair of the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, it is my duty to bring before this Chamber the best bill possible for consideration. Stand. Com Report No. 761-08, HB 2502, HD 2 is such a bill.

"Mr. Speaker, for the reasons stated above I ask my colleagues to support this measure."

Representative Saiki rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Saiki's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this measure in large part due to the manner in which it has been expedited through the legislative process in violation of House Rule 13.1.(3).

"Rule 13.1.(3) is our "prior concurrence" rule and it reads in part: "It shall be the duty of each standing committee to: (3) . . . Determine the objectives of any bill referred to it and make appropriate recommendations, . . . On bills which relate to programs and matters over which a standing committee to which they are referred has no primary responsibility, the standing committee shall propose no substantive change to the bill unless prior concurrence of the chair of the committee which has the primary responsibility is first obtained."

"The prior concurrence rule is designed to bring meaning to our legislative committee process. We rely on the standing committees to develop expertise, to consider measures, and to amend those measures to improve them. Prior concurrence gives deference to the respective expertise of the committee chairs during this deliberative process. Under Rule 13.1.(3), a committee chair may only amend a measure in substantive terms if he or she has jurisdiction over those terms.

"H.B. 2502 was referred to the following committees: EEP, WLH/AGR. EEP heard the bill on February 5, 2008, and amended it to include acreage, location and energy generation limitations, for the purpose of protecting undue development of agricultural land. The proponent(s) of H.B. 2502 opposed the amendments. WLH/AGR heard the measure on February 20, 2008. During decision making, the co-chairs indicated their inclination to delete the EEP-drafted amendments, and deferred decisionmaking because they had not obtained the prior concurrence of the EEP chair to make their amendments.

"The hearing was continued on February 25, 2008, which fell within the five-day legislative recess. At that time, the WLH/AGR co-chairs had not yet obtained the prior concurrence of the EEP chair. Nevertheless, the joint committees proceeded to recommend passage of the measure with amendments, i.e., to delete the acreage, location and energy generation limitations.

"In an apparent attempt to accommodate the concerns of the bill's proponents, the WLH/AGR Co-Chairs violated Rule 13.1.(3). The Co-Chairs could have waited until the EEP Chair's return. If they had done so, the Co-Chairs would have still had the opportunity to hold a hearing on February 28 or 29, in time for the First Decking deadline.

"This situation may fuel the perception that the House is beholden to very narrow interests to the detriment of the public interest. The prior concurrence rule is, perhaps, a safeguard to such abuse. We should enforce Rule 13.1.(3) because it will result in improved policymaking and restore public confidence in the Legislature."

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

"Mr. Speaker, in support. I do support this measure and I also strongly support the comments of the Chair of the Water & Land Committee, as the Committee on Agriculture and the Committee on Water & Land heard this measure in a joint hearing. I also request that I submit written comments to be inserted in the Journal. Thank you."

Representative Tsuji's written remarks are as follows:

"This bill seeks to make the most productive use of marginal agricultural lands by including solar energy facilities as a permitted use within agricultural districts on land meeting certain requirements.

"Solar projects are key to the State in order to meet its aggressive goals of 20% renewables by 2020, as well as a recently stated target of 70% renewables by 2030. The use of solar energy facilities in the agricultural districts on class D and E land will lessen the State's dependence on oil, reduce greenhouse gas emissions, and provide energy price stability to Hawaii's consumers.

"Wind generators are already allowed in all five categories of agricultural land providing that the facilities and appurtenance are compatible with agricultural uses and cause minimal adverse impact on the agricultural land. Solar energy facilities are complementary to the uses prescribed for D and E agricultural lands and should have no adverse impacts on these marginal lands.

"Current amendments to this Bill remove the acreage, location, and energy generation limits under which a solar energy facility would be permitted on agricultural district lands. This dialog should continue and the bill should move forward."

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

"In support. Again I'd like to remind everyone, I know the zone classes D and E are based on the Land Study Bureau's productivity, and I want to emphasize productivity because it's very difficult to grow produce on these types of lands because of the type of soil, lack of water, etc. So there's a reason for this five point rating system, and this being the lowest of all the ratings in terms of the soil quality and productivity. So that's the reason why we're looking at this.

"As far as acreage, there's no way we can put a solar farm on top of buildings. We've got to put it on land, on acres of land and that's the reason why we're looking at it.

"The other thing is, we passed laws saying that we have got to hit 20 percent renewables by 2020. That's right around the corner. So how are we going to achieve that if we don't have space for renewable energy?

"We're trying to be creative here. And the majority of our lands are in the agricultural classification. The reason is a lot of the land was dumped into agriculture, good or bad. So we have got to look at our land and start working at our policy goals on how we're going to achieve renewable energy, and how we're going to achieve important agricultural lands, which is in other bills. We're trying to identify our most valuable agriculture land, and at the same time we're trying to hit our 2020 renewable goal. How are we going to achieve it if we have no space? That's where we're trying to go at right now. Mr. Speaker, I ask that my written comments also to be inserted."

Representative Karamatsu's written remarks are as follows:

"I rise in support. The increased use of Hawaii's abundant renewable energy resources, such as wind, solar, ocean thermal, wave, and biomass resources, is key to reducing Hawaii's green house gas emissions and contribution to global warming and creating new job opportunities and economic diversification.

"In 2006, Hawaii's oil imports totaled $3,400,000,000 for the year, accounting for approximately 15 per cent of the total imports. Over 93 per cent of Hawaii's energy is supplied by fossil fuel. By allowing solar energy facilities to be built on marginal agricultural lands or agricultural lands with soil classified D or E, there will be more beneficial effects for Hawaii's economy, environment, and energy security than leaving such lands unused. Thank you."

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

"Brief comments in support. Mr. Speaker, the sun is out there. Let's farm it, now."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. First of all, I'd like to insert additional comments into the Journal regarding this matter. I also want to make certain points of clarification.

"The most efficient use of land for solar will be solar on rooftops. That way you don't take up land space and we'll use unutilized roof space. And also when you start using roof spaces, especially in the urban corridor, you're closer to where you need the power. And so it's a more efficient use of the resource.

"Secondly, if the intent is to protect small farmers that are farming on these larger lands that are not reflected in the bill. The bill is wide open. It's making solar an outright allowable use on agricultural lands. And again, if there was a structure, additional criteria to address this issue, protect agricultural uses and keep the land predominantly in agriculture use, it could be a good bill. But the words that are written right now, it’s a free-for-all and without any restrictions and we need to be careful about that.

"Just because it's in the Majority Package doesn't mean it's always a good bill. It was put out to be discussed and when it was put to discussion, we learned lots of things. Lots of different issues have arisen regarding this bill and one is, we may call these lands marginal lands, but people are farming on these lands and they tend to be the smaller farmers and unique crops. So again, it could be a good bill, but the way it's written right now, it's not."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I would just like to elaborate on some of the concerns and objections I have regarding this measure that I raised during the Floor debate. The Department of Agriculture testified that soil classification alone should not be the sole criteria in making solar energy an allowable use on agricultural lands rated D or E. The Hawaii Farm Bureau and Maui Farm Bureau pointed out that lands rated D or E are generally used by smaller farms, for grazing or are unique as most coffee farming is done on D or E lands. This kind of broad policy statement does not protect existing agricultural uses on these types of lands and may inadvertently displace on-going agricultural activities on D and E lands.

"The intent of this measure should be to accommodate exceptional solar resources on D or E lands, not to place agricultural uses in jeopardy by creating *defacto* zoning through this type of allowable use as in the House Draft 2 version. This is why the following criteria, outlined in the House Draft 1 version of this measure is so important:

1) The total acreage to be used by the solar energy facility is ten acres or one percent of the parcel, whichever is less;

(2) The project is located in the vicinity of an existing electrical transmission and distribution system;

(3) The project can generate between:

(i) Eight and fourteen kWh/m2/day (hours per day when array is providing peak output) based on solar insolation maps on a two-axis tracking flat plate; or

(ii) Five and fourteen kWh/m2/day (hours per day when concentrator is providing peak output) based on solar insolation maps on a two-axis tracking concentrator system.

"Projects that do not meet these criteria should go through the regular land use permit process if it is not integrated into an agricultural enterprise as described in House Bill 2503.

"Another important concern is that the broad policy outlined in this measure may have a propensity to pit energy production against food production. Especially with oil prices over $100.00 per barrel, this body needs to be very careful that energy production does not displace lower value food production. Again, the House Draft 2 does nothing to address or to protect existing agricultural uses should this conflict occur.

"Finally, as an island state with limited land potential, the best and most efficient placement for solar panels are rooftops where these systems are close to the load and distribution and transmission infrastructure. Again, what the House Draft 1 tries to address are solar projects where the solar resource and project location has exceptional values that may outweigh the agricultural potential of the parcel. In its present form, House Bill 2502, House Draft 2 leaves the door wide open for abuse of agricultural lands, potentially at the expense of small farms, grazing lands and unique crop opportunities. I have very grave reservations on this bill."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. I'd like the words again of the speaker of Hanalei to be entered as my own. Thank you. And I would also like to respond to that issue about putting solar farms on rooftops.

"When I suggest that, I look at the state of the technology today and we have companies like SOPOGY who we are moving with giving SPRBs to. They are developing technology that concentrates the solar energy that can be placed on rooftops. Not just simply rooftops of small buildings; let's look at the 'big box' retailers. We have Sam's Club and Costco looking at putting photovoltaic panels onto their rooftops. Yes, the Majority Leader is right, the sun is out there. Let's farm it. But let's farm it in a way that does not take up valuable agricultural lands. Thank you, Mr. Speaker."

Representative Ito rose to respond, stating:

"Mr. Speaker, thank you. Mr. Speaker I just want to let the Members know that even if this legislation passed at this time, it's going to take between 10 to 15 years before anything gets started because you have got to get the permits. So Mr. Speaker, we will have future Legislatures to take a look at this maybe in 6 years, or 8 years from now and maybe refine this bill a little bit more. Thank you."

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

"Thank you, Mr. Speaker. I rise in opposition to this bill and ask that the words from the Representative from Hanalei be entered as my own. And I would like to caution our colleagues to avoid being seduced by the rhetoric and the vocabulary that currently exists, and the fear that it might be put out there. Because as our Representative from Kaneohe has reminded us, from the Constitutional Convention when the Important Agricultural Lands was put forward to be discussed, that was 30 years ago. So I think it's timely, and if we are coherent with our work today as well, we will take a look at all the different measures and see how they fit together. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I rise with a brief comment in support. Rather than take it fearfully, when I heard the term, 'free-for-all for solar,' I said, 'Let's have a free-for-all for solar. We've been trying for three decades to get the residential community to adopt solar. And only 17 percent of Hawaii's households have solar. So how are we going to get a free-for-all on the agricultural land, which is probably so dry and with rocks and other things to me is beyond conception.

"So I think rather than being fearful, I think we should say, 'Let's bring out as much solar as we can', because it's not happening in our backyards. Thank you."

The Chair then stated:

"Members, the Chair would like to move on. But for those of you who would like to submit written comments, for or against, you will be given the opportunity."

Representative Karamatsu rose to respond, stating:

"Mr. Speaker, just a quick rebuttal. In regard to SOPOGY and other solar farm type of companies looking at solar farms, they're looking at 50 acres and beyond. The technology they have is for hundreds of acres and in areas such as a desert or plain areas. So I don't know how we're going to put it on top of buildings. Maybe one day in the future we can have the technology that can make it smaller instead of a huge solar farm, but I don't think we can do it on buildings right now. So we're looking at 2020, and it's right around the corner."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and H.B. No. 2502, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Berg, Luke, Saiki and Wakai voting no, and with Representatives Nakasone, Souki, Takai and Takamine being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 763-08) recommending that H.B. No. 2598, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2598, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in opposition. This bill requires the Hawaii Housing Finance and Development Corporation to give priority to developing land in the areas covered under the Ewa Development Plan, the City and County of Honolulu Primary Urban Center Development Plan, and land in the urban core in the counties of Kauai, Maui and Hawaii.

"My problem with the bill is that it will limit the ability of HHFDC to support affordable housing developments outside of the areas cited in the bill, even though counties have determined that there is a significant need for affordable housing.

"This bill also requires HHFDC to use its resources and funds to assist development of targeted areas, including addressing infrastructure and other planning needs, which is a major undertaking and cannot be done without a substantial infusion of capital improvement funds from the State Legislature.

"I'm sure that the State and counties are committed to providing affordable housing in rural, residential and urban communities alike. This bill is trying to limit it just to specific areas. I also worry that this would discourage the HHFDC from partnering with other counties on affordable housing in rural areas where the counties have deemed it appropriate. Thank you, Mr. Speaker."

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

"Thank you. Mr. Speaker, in support. I just wanted to emphasize that this bill looks at priority areas that have already been established by HCDA and the counties, and it's really asking HHFDC to give priority. It's not requiring. The previous version mandated this. So we did soften the language there.

"Really, this measure's looking at what a lot of us are concerned about which is urban sprawl. The previous speaker cited to wanting to develop rural areas. A lot of us, with the housing crisis and the crunch we're feeling now, we have to make some tough decisions. Do we want to build upward or outward? I think most of us would agree that we want to build upward. We want to look at the urban core areas that have already been identified and focus on those and really try as much as we can to preserve the rural character of the few remaining places that are still in this State of Hawaii. So I hope that the Members will support this concept. Thank you."

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

"Yes, just in opposition. My opposition is really quite simple. The philosophy that people in Ewa Beach have. It quite frankly scares us that we're going to be giving priority for our taxpayer dollars to build more homes on the Ewa Plain. And basically use taxpayer dollars to torture myself even further, to add to the traffic congestion. So I do appreciate the intent of this bill. I think it's well founded, but this is really an objection from the people of Ewa Beach."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2598, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives Cabanilla, Meyer and Pine voting no, and with Representatives Nakasone, Souki, Takai and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 765-08) recommending that H.B. No. 2292, as amended in HD 1, pass Third Reading; and

(Stand. Com. Rep. No. 766-08) recommending that H.B. No. 2293, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.B. No. 2292, HD 1, and H.B. No. 2293, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to both measures, stating:

"Thank you, Mr. Speaker. I'm rising on Stand. Com. Rep. 765 and 766 and my remarks will cover both of those. I'm voting no on both of those. Essentially what this bill does is have the State buy the Galbraith Estate property out in Wahiawa. One bill asks ADC to arrange it and manage it and do things, and the other one has another form of financing.

"My concern, I guess my greatest concern is the liability. There was a study done a few years back, four years ago, that looked at all the properties in total. What came up was a real concern about the condition of the dam on Lake Wilson. If the State owned it, would we take full liability for the problems there and be expected to put whatever money was needed to bring it up to snuff.

"The other thing that I see is that the community in Wahiawa, a certain group of them have been looking forward or have been wanting to, they've shown a lot of interest in getting these properties in public hands where the State would own them. But I'm also really worried because they probably would be looking at rezoning some of the properties, some of the land.

"There may be others that want to talk on these, but the liability is my greatest concern on this purchase. Thank you."

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

"Mr. Speaker, just a potential conflict. As I said before, at my law firm, several of my partners are beneficiaries of the Galbraith Trust. Also Bank of Hawaii is the trustee for the trust, and my wife is employed by Bank of Hawaii. Thank you," and the Chair ruled, "no conflict."

Representative M. Oshiro rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support and written comments please. But just to clarify, the State of Hawaii probably would not be the only purchaser. We're looking at purchasing or acquiring the property for public purposes, similar to how the State worked with the Office of Hawaiian Affairs, City and County of Honolulu, U.S. Army, Department of Land and Natural Resources, and National Audubon Society in the acquisition of Waimea Valley. Also similarly with Pupukea Paumalu, the North Shore Public Trust people, NOAA, State of Hawaii, City and County and U.S. Army. We're working with all those groups involved with those two great success stories. Thank you."

Representative M. Oshiro's written remarks on H.B. No. 2292 are as follows:

"Mr. Speaker, I rise to speak in support of H.B. No. 2292, HD 1. This measure appropriates funds for the Agribusiness Development Corporation to purchase the agricultural lands owned by the Galbraith Estate. This measure also authorizes the Agribusiness Development Corporation to contract with banks to provide lease management services, and allows the Corporation to lease agricultural lands for up to fifty five years.

"By securing the fertile Galbraith Lands located north of Wahiawa, this measure will help preserve important agricultural lands, limited natural resources, and agricultural irrigation assets on the Island of Oahu. More specifically, it provides the Agricultural Development Corporation with the flexibility to lease agricultural lands at affordable prices for extended periods of time. By purchasing the Galbraith lands and having ADC lease those lands to farmers at affordable rates, small farmers who are currently unable to afford large tracks of land will be able to continue to farm Oahu's fertile soil and reduce the State's dependence on imported food crops.

"Mr. Speaker, the passage of this measure would greatly benefit farming and diversified agriculture in Hawaii, and would guarantee the long-term availability of the Galbraith lands for agricultural uses at a time when the demand for residential development in central Oahu is high. The 2,100 acres currently for sale by the Galbraith Estate present an enormous opportunity for the State to strategically protect important agricultural lands that are fundamental to Hawaii's future."

Representative M. Oshiro's written remarks on H.B. No. 2293 are as follows:

"Mr. Speaker, I rise in support of H.B. No. 2293, HD 1. This measure authorizes the issuance of revenue bonds and appropriates funds for the Agribusiness Development Corporation to purchase the agricultural lands owned by the Galbraith Estate. This measure also authorizes the Agribusiness Development Corporation to contract with a financial institution in order to lease lands owned by the Corporation for up to fifty five years.

"By securing the fertile Galbraith Lands located north of Wahiawa, this measure will help preserve important agricultural lands, limited natural resources, and agricultural irrigation assets on the Island of Oahu. More specifically, it provides the Agricultural Development Corporation with the flexibility to lease agricultural lands at affordable prices for extended periods of time. By purchasing the Galbraith lands and having ADC lease those lands to farmers at affordable rates, small farmers who are currently unable to afford large tracks of land will be able to continue to farm Oahu's fertile soil and reduce the State's dependence on imported food crops.

"Mr. Speaker, the passage of this measure would greatly benefit farming and diversified agriculture in Hawaii, and would guarantee the long-term availability of the Galbraith lands for agricultural uses at a time when the demand for residential development in central Oahu is high. The 2,100 acres currently for sale by the Galbraith Estate present an enormous opportunity for the State to strategically protect important agricultural lands that are fundamental to Hawaii's future."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. One of these bills would ask for revenue bonds, but as was explained the general income from leasing land and agricultural operations cannot support the debt service for that. If the military and all these various entities are interested in making that investment, that changes the whole look of these bills, but for now my vote is no. Thank you."

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

"Thank you, Mr. Speaker. On those two measures, could you note my reservations? And it mainly surrounds around the liability issue of the property, as well as the reasons stated in the Governor's previous veto message as well. Thank you."

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

"Reservations, Mr. Speaker. I have no idea what the situation is with the dam, regarding repairing it and the potential liability. Thank you."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.B. No. 2292, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives Meyer, Pine and Thielen voting no, and with Representatives Nakasone, Souki, Takai and Takamine being excused; and

H.B. No. 2293, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Meyer and Thielen voting no, and with Representatives Nakasone, Souki, Takai and Takamine being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 767-08) recommending that H.B. No. 2501, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2501, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Souki, Takai and Takamine being excused.

At 10:55 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2367, HD 2
H.B. No. 2503, HD 1
H.B. No. 2502, HD 2
H.B. No. 2598, HD 2
H.B. No. 2292, HD 1
H.B. No. 2293, HD 1
H.B. No. 2501, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 768-08) recommending that H.B. No. 2516, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2516, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. No. 768, I have some strong reservations. While this is a good purpose, to have biosecurity facilities, we have a big problem with alien species and things coming into the State. With the revenue stream that we have which is decreasing this year and very many demands, I feel like this is premature. The Department of Agriculture is doing a pretty good job right now. The Governor has put an extra $500,000 plus into the budget so that they can expand on what they're doing now. Thank you, very much."

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

"Thank you, Mr. Speaker. I am voting with reservations and similar reason for my reservations."

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

"On Stand. Com. No. 768, in strong support. The purpose of this measure Mr. Speaker, is to improve the infrastructure and facilities necessary to prevent the importation and spread of invasive species. It provides for funding for a joint biosecurity inspection facility without federal inspectors. The State of Hawaii, the State inspectors cannot really do it alone and we need the participation and corporation of the federal inspectors also. This is a forming of a partnership with federal inspection services and we believe this is an efficient and effective method to make the best use of our really limited resources, money and available space.

"The Legislature found in 2003 that the silent invasion of Hawaii by insects, disease-carrying organisms, weeds and other pests is the single greatest threat to our economy and the natural environment, and to the health and the lifestyle of the people of Hawaii. Legislation that helps to improve the effectiveness of cargo inspections must be a high priority for the sustenance of Hawaii's agriculture and environment, and takes a big step toward curtailing invasive species that enter our State through important cargo. Thank you, very much."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I am still with reservations and just have some short comments. According to the Department of Agriculture, the Department is already filling in the gaps in invasive species prevention systems as the bills propose to do by implementing their biosecurity program. So it's not like we're without. They have already initiated the planning and installation of joint use inspection facilities at the airports and harbors to mitigate the environmental concerns for the improvements to the transportation infrastructure statewide, and is currently developing coordinated federal/State programs targeting risk assessments, diagnostics, detection, control and suppression and emergency management programs designed to further increase the effectiveness of their invasive species programs. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2516, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Meyer voting no, and Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 769-08) recommending that H.B. No. 2593, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2593, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2593, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DROUGHT MITIGATION," passed Third Reading by a vote of 46 ayes, with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 770-08) recommending that H.B. No. 2843, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2843, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I will be voting for this measure because I would like to stop invasive species from coming in to Hawaii. However, I am reluctant to accept new fees on our containers and incoming cargo. By taxing all freight coming into the State on containers or otherwise, we are taxing ourselves, and that increases our cost of living. I would much rather see our raising fees perhaps on passenger tax on outgoing tourists. Maybe we could rethink this particular plan."

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

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

"Mr. Speaker, on Standing Committee Report 770, in strong support. This measure actually repeals the existing inspection fee on cargo containers to the 20-foot equivalent, assessing a $1 fee for 20-foot equivalent. This measure would provide an ongoing funding stream which would expand the eradication efforts of invasive species statewide, instead of relying solely on general funding.

"Please allow me to explain the difference on this $1 container fee on this particular measure. For both domestic and foreign imports, cargo arriving, both maritime and air cargo, annually into the State of Hawaii, statistics extracted by the Department of Agriculture reveals that harbor importation of cargo annually, by week, is 12 billion pounds annually. Air cargo, 250 million annually. That means over about 12 billion, 250 million pounds per year.

"What this measure tries to do is to have an equal responsibility as far as assessing fees, for protection from the invasive species. Therefore instead of only assessing a $1 fee on containerized maritime cargo, it goes a step further for both airports and harbors. The assessment is based on $.50 per 1,000 pounds of cargo, both domestic and foreign cargo.

"In calculating this annually, on a very conservative basis from the figures were derived from, this would derive approximately $6,125,000 annually. The Department of Agriculture states that they need at least $4 million to counteract invasive species. We cannot rely on general funds alone, and this is a step forward in our continuing effort to counteract invasive species and I ask for your support. Thank you, very much."

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

"Mr. Speaker, I'm rising in support with some reservations. Just the information I have with me here, I don't have any kind of estimates of what this is going to cost. It's obviously going to raise the cost of products shipped in. I have some concern about maybe the

automobile industry that will carry the load because they're heavy cargo. I just have this reservation."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2843, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Third Reading by a vote of 46 ayes, with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 771-08) recommending that H.B. No. 3034, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3034, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I rise in strong support. Mr. Speaker, if money is the 'mother's milk' of politics, we need to put our money where our mouth is now and save the cows and that's I think exactly what this bill does. It asks that we start treating Hawaii milk as first class milk rather than second class milk. Heretofore, it had been used as cheese and yogurt, and the fresh milk was actually brought in from the Mainland. This bill will reverse that and I think it's a really good step in the right direction.

"However Mr. Speaker, I think there are two lessons I think that come with this bill. One is that we're becoming less sustainable. This is a wake up call that we may have two dairies left in the State of Hawaii, there's one that's just went out recently in Waianae and there's two left on the Big Island. Yet at the same time, this body and the Senate are promoting sustainability by 2050. We've got be not talking out of both sides of my mouth. We're letting our farmers die off. The agriculture industry is dying; the chicken industry, and now the dairy industry. So sustainability means we have to put action to our words.

"I think the second lesson is, I think you probably hear it more from this side of the aisle, when we send a clarion call for the danger of the cost of doing business in Hawaii, please listen to this side of the aisle because these guys are dying and we're losing our businesses.

"And this is a great wake up call for what otherwise in the long run I think we have to have some kind of a stockpiling of sustainable industries like milk, like bread, like eggs. So in event there is a crisis, at least we're going to have a nucleus bond which we can build or we expand. So Mr. Speaker this bill is a good bill, it's a wake up call and I'd like to thank the Governor for introducing it. Thank you."

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

"Thank you, Mr. Speaker. I am in strong support and ask that the words of the previous speaker be inserted in the Journal as if they were my own."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3034, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Third Reading by a vote of 46 ayes, with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 772-08) recommending that H.B. No. 3120, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3120, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Manahan rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"In the hearings of the House Committees on Economic Development & Business Concerns, and Finance, the Department of Agriculture (DOA) testified that they would like to lease the Animal Quarantine Facility in Halawa for below market value. They assessed the market value of the property at $300,000, which I found to be very low given its size and location in central Oahu.

"Given that we are already subsidizing many agricultural industries through the DOA such as the poultry, cattle, pork, and dairies under the Department of Agriculture without any long term plans, and in light of the unfavorable audit of the DOA and their management of the Molokai irrigation system which we are subsidizing to the tune of $425,000 a year, I question the ability and the rationale of the DOA to lease the Halawa property for 50% below market value. (It should be noted that in the original version of the bill, it was proposed that the Halawa property be leased for less than 50% of its market value.

"Furthermore, only the DOA and the Hawaii Humane Society testified in favor of this bill in both Committees despite many other organizations who would be able to qualify and benefit from such legislation.

"For these reasons, I would like to express my reservations for HB 3120."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3120, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," passed Third Reading by a vote of 46 ayes, with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 778-08) recommending that H.B. No. 2431, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2431, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 2431, H.D. 2 that exempts the University of Hawaii Board of Regents from Hawaii Public Procurement Code requirements and requires an audit. I believe in good procurement policy, and am confident that filing the procurement process and any proposed changes with the Hawaii Procurement Institute will add transparency to this process.

"This will allow the University to efficiently repair and renovate at reduced costs while maintaining current facilities so that the students and faculty can be proud of their university and its facilities. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2431, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Berg voting no, and Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 779-08) recommending that H.B. No. 2521, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2521, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

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

"Thank you, Mr. Speaker. I have strong, very strong reservations about this bill. It's not that I'm not aware of all maintenance and repairs that are needed at the University. I think we want our University to be first class and be a place that our students can be proud to be learning and going to school there. They are proud even though it doesn't look as good as it could. But it would be a real boost to everyone if our University really looked A-1, tops.

"What I have a problem with is the way we're going to finance these repairs. The way the bill is written right now, it spells out that $50 million of tax revenues that come into the State will automatically move over to a special fund in the University. They won't even show up on the revenue stream for the State because they had just funneled off over to the University. And we will also provide G.O. bond funding of another $50 million and that will show up. There'll be debt service on that. So that's $100 million over to the University every year for six years. That's $600 million of our State tax money that will be going over to the University. Correct that, the bonds are not State tax money, but the tax money pays for the debt service.

"I don't think anybody is against providing the money for the University to do what really is long overdo. It's just that I think it's irresponsible to earmark this money. It doesn't give us very much flexibility. You never know what the next year's going to bring. Of course we have another Legislative Session. We can undo what we're doing, but I think when you use the State tax dollars you have to be accountable and by passing a bill of this scope, six years, okay you're just going to get it, don't worry.

"I know the bill does call for the President of the University to come back and report every year as to how much they're spending, what they're doing, and that is good. But when you know that you're just going to get it, I think there's a chance people feel they like deserve it, they just know it's coming. Every year is a new year and I think you have to look at the needs of the State in totality and we are by way of this mechanism guaranteeing the University that they will have this $100 million every year for 6 six years, no matter what's going on in the State, at least that's what we're saying if we pass it. And I think that is just not the most responsible thing to do. Thank you."

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

"Thank you, Mr. Speaker. As Chair of the House Finance Committee, I stand in strong support of putting money where our mouth is, and making this commitment to our University of Hawaii System.

"I believe the previous speaker did highlight some of the funding features of the bill. Yes it is a six-year plan. $50 million in general revenues right off the top from our tax revenues, and $50 million a year from our general obligation bonds. And the reason for it Mr. Speaker, is we've learned that there are about $240 million in deferred repairs in our University System, and every year they need about $75 million just to keep everything from further deterioration and keeping our classrooms open for our students. So that's why we're looking at a six-year plan.

"Future Legislatures can certainly make adjustments to accommodate different needs or interests at that particular time, but I think that in celebrating our University of Hawaii's 100th anniversary, this is a tremendous step in addressing the backlog, making sure that we have the money set aside at the front end to keep our buildings and facilities working for our students.

"So I stand in strong support of this and hope we can all, especially as part of the alumni Mr. Speaker, move this bill forward. Thank you."

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

"Mr. Speaker, I rise with slight reservations. As the previous speaker ended with, I'd like to begin with. Seventy percent of us are alumni of University of Hawaii, and all of us obviously are proud of it. We want to save it, and we want to do it and this is a mechanism and this is a bill by which we can do that. However, with $50 million by G.O. bonds, and $50 million by cash out of the Treasury, I'm not sure if that is the wisest way to go.

"Mr. Speaker you didn't buy your house using credit card interest. Using our general funds is the equivalent to doing it. It's going to cost us too much. Why don't we do a 100 percent, or 75 percent with G.O. bonds and save us some money.

"My second reservation is, $100 million a year at the University of Hawaii is like drinking out of a fire hose. I just don't think they can do it. That's going to be tough. So I think this is a good mechanism. This is only First Crossover, right? So we can get another bite at the apple on this one. I think it's good that it's moving. It may be overextended in terms of the method of financing and the amount. But I think it's a good bill and I will vote for it with reservations. Thank you."

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

"Thank you, Mr. Speaker. I support this bill, but I have some reservations. Mr. Speaker, I'm really thankful for our commitment to wanting to help the University - our University, with repair and maintenance of the facilities. And make no mistake, there is another method in where we can commit to this goal. And the Governor has done so in her Supplemental Budget, which includes a commitment of $291 million for the same purpose.

"Mr. Speaker, the part I have reservations for, and I will not vote no, but the part I vote reservations for is that this bill is not transparent to the people of Hawaii and our taxpayers as it funnels the tax revenue directly into a special fund. And what that does is, it doesn't allow these numbers to become reportable numbers for mandated tax rebates or those types of things, as well as it doesn't reflect in our general fund carryover balances. Mr. Speaker that's the kind of information that I think from the outside looking in, getting a better picture of where our State is in regard to tax revenue, in regard to what we have in reserve, or those types of things, I think that that's a more transparent way to go. Thank you, Mr. Speaker."

Representative M. Oshiro rose to respond, stating:

"Just to clarify. The Governor only put $50 million in repair and maintenance. Thank you."

Representative Finnegan rose to respond, stating:

"Mr. Speaker, still with reservations, but in clarification of my words, it's $291 million in a variety of ways to address this problem. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Just another thing I wanted to bring up. Normally when you do these large repairs and renovations, you do it with G.O. bonds. Bonds allow more than the current generation of taxpayers to pay for capital improvements that are intended for several generations to be beneficiaries. This puts a greater burden than is necessary on the current generation of tax payers by spending over $300 million of tax revenue. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2521, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Berg, Morita and Takumi voting no, and with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 780-08) recommending that H.B. No. 3226, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3226, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you. Mr. Speaker, in opposition. Mr. Speaker, I believe it was noted that one of the supporters of this bill was the University of Hawaii Regents Candidate Advisory Council. But I'm led to believe that they actually would like to see the original version. The amended versions would have a chilling effect on the individuals considering becoming candidates to serve on the Board of Regents. These are pretty strong words to indicate a very strong objection. So I just wanted to bring that up. Thank you."

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

"Thank you. Mr. Speaker, in opposition. I'll just go through a few bullet points. As it was said by the Minority Leader, the legislation allows for disclosure of information that many candidates of the Board of Regents may find sensitive. In fact the Regents Candidate Advisory Council did testify that confidentiality language would have a chilling effect on individuals considering becoming a candidate. In recent interviews, some candidates have expressed concern about the potential public disclosure of personal information that the Council may become aware of during the candidate review process.

"Disclosure of sensitive information further weakens the ability to recruit the best and brightest candidates to serve on the UH Board of Regents. The very creation of the Council last year weakens the State's ability to find high-quality candidates requiring them to be approved by an Advisory Council and put up individual interests. But now release of the information may further limit the number of high-quality individuals interested in becoming Regents.

"Number four, it would make the Board of Regents selection process more politicized with release of this information, the smallest thing could be used to discredit an individual or their political leaning. And there is no longer the requirement that no more than six of the members shall be members of the same political party, and so there is no longer a mandate that the Board be politically balanced. The funding for the position in this bill may also not be necessary as the funding for the bill is already in the budget. Thank you."

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3226, HD 3, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 41 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Brower, Nakasone, Sonson, Souki and Takai being excused.

At 11:21 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2516, HD 1
H.B. No. 2593, HD 1
H.B. No. 2843, HD 2
H.B. No. 3034, HD 1
H.B. No. 3120, HD 2
H.B. No. 2431, HD 2
H.B. No. 2521, HD 2
H.B. No. 3226, HD 3

At 11:22 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:33 o'clock a.m., with Vice Speaker Chong presiding.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 781-08) recommending that H.B. No. 2978, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2978, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. With reservations. Mr. Speaker this bill sets up a task force at the University of Hawaii to work with the Regents Candidate Advisory Council, and my concern is that it's exempt from the Sunshine Law. I don't think that's a good idea. Thank you."

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

Representative Ward rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise with some reservations on this bill. This bill exempts the proposed Task Force from the sunshine law. I do not see why this is necessary. The Task Force is charged with making recommendations that are important to and will directly affect the entire University community, and indirectly the public at large. Although the bill calls for the Task Force to make a good faith effort to make its proceedings accessible to the public, the way in which it chooses to do so will be entirely within the Task Force's discretion and members of the public will have no recourse if they feel shut out of the proceedings.

"I realize that some may say that the exemption will make the Task Force more efficient, but you can say that about any board or organization subject to sunshine laws. The duties and responsibilities of this Task Force are large enough that it should be subject to the sunshine laws.

"First, this bill exempts the Task Force from the sunshine law. The proposed Task Force is charged with making recommendations that

are important to and will directly affect the entire University community, and indirectly the public at large. So why is it exempt from the sunshine law?

"Second, although the bill calls for the Task Force to make good faith effort to make its proceedings accessible to the public, the way in which its chooses to do so will be entirely within the Task Force's discretion and members of the public will have no recourse if they feel shut out of the proceedings.

"Third, this bill encroaches on the autonomy that was put on the UH. UH has their own budget, why do we have regents? It doesn't seem appropriate."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 783-08) recommending that H.B. No. 3422, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3422, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Mr. Speaker, I just wanted to declare a potential conflict of interest. I'm an employee of the Legal Aid Society of Hawaii. Thank you," and the Chair ruled, "no conflict."

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

"Mr. Speaker, I have a similar potential conflict of interest. I'm on the Board of Directors for the Legal Aid Society. Thank you," and the Chair ruled, "no conflict."

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

"Thank you Mr. Speaker, in opposition. Basically this is increasing either the tax or the filing fees. Actually, the filing fees. And I just wanted to read a short comment from one of the testifiers. We see this more as access to justice being more expensive. Pointed out by Bill Plum representing HSBA Collection Law Section: 'This surcharge is basically a tax on innocent Hawaii residents who are forced to go to court because injustice was done and they're now trying to collect restitution with no guarantee that they will recover their losses.' It's just that we probably hurt the people that we're trying to help as well. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I'm also rising in opposition to this measure. The money collected from these surcharges, which have gone up, some of them more than doubled, goes to the nonprofit organizations like Legal Aid Society of Hawaii, Volunteer Legal Services of Hawaii, Na Loio and others. These taxpayer dollars collected through a State entity are like grant-in-aids are given to nonprofits holding a certain population to help subsidize their costs. But unlike grants-in-aid, these funds come with no strings attached, no structured outline of accountability or reporting requirements.

"Mr. Speaker, I don't think this is a good precedent. All the people that have to file papers with the courts are going to pay and sometimes they will actually be going against some of these indigents that are getting the support of the organizations with money that the taxpayers paid. So I think there are some problems with this measure. Thank you, Mr. Speaker."

Representative Shimabukuro rose to respond, stating:

"Thank you, Mr. Speaker. In support. I just want to point out to the body that CJ Moon has indicated many times in his speeches, and if you look online, this is a huge priority, not just for him, but for the Hawaii State Bar Association in general, who have identified, if you saw on the front page, I think, right around when Session started, that Access to Justice Hui did a study and found that Hawaii is severely lacking in service to the indigent.

"I wanted to also point out that the filing fees envisioned in this bill are for those most able to pay, such as the collection agencies and landowners. We're not talking about all people that file actions in court.

"I just wanted to also say that I'm really happy that this measure has the support of the Hawaiian Caucus and is part of their legislative package. This idea came out of the study. I want to quote that this was, Achieving Access to Justice for Hawaii's People that I mentioned earlier, and I quote the study. It says: 'Hawaii's Legislature should increase the amounts raised through the court filing fee surcharge for the Judiciary's indigent legal assistance fund.'

"So this measure actually came out of a working group that tried to find ways that they could come up with these desperately needed funds to help so many in our society that fall through the cracks and the safety net when trying to get the legal service they desperately need. I also have additional written remarks in support as well."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 3422 HD2. As the bill's introducer, I am pleased that it has also received the endorsement of our Hawaiian Caucus and is part of its legislative package.

"When the bill was heard by our Committee on Human Services and Housing, and later in Finance, it received strongly supportive testimony from legal and social agencies, outweighing the negative testimony, which came mostly from collection agencies.

"This bill provides additional surcharge fees on court filings – funds which are deposited in the Indigent Legal Assistance Fund – and expands eligibility qualifications for help from the fund. HB 3422 stems from recommendations made in 2007 by the Access to Justice Hui in its report, Achieving Access to Justice for Hawaii's People. Among the recommendations in the report – endorsed by many groups in the legal community, including the Hawaii State Bar Association – was the following: "The Hawaii legislature should increase the amounts raised through the court filing fee surcharge for the Judiciary's Indigent Legal Assistance Fund."

"Additional funding for civil legal services is urgently needed. District and Family Courts have seen a virtual explosion of cases in which people are unrepresented by counsel. The above-mentioned report states that only one-in-five low and moderate-income Hawaii residents have their legal needs met. This is clearly unacceptable.

"By passing this legislation, we can close the wide gap between Hawaii and other states. Nationwide, 45% of state-generated funding for legal services for the poor is from court filing fees and fines. In Hawaii it is only 14% which, in dollars, translated into only $305,000 in 2007 distributed to eight legal service providers. Surely, we can do better than this!

"I urge my colleagues to join me in passing this bill on Third Reading."

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

"Mr. Speaker, I would also like to declare a potential conflict. I'm on the Board of Directors for the Volunteer Legal Services Corporation. Thank you," and the Chair ruled, "no conflict."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am rising in opposition to this measure.

"HB3422 HD2 increases the fees to file legal papers with the court. This surcharge is really a tax on innocent Hawaii residents who are forced to go to court because some injustice was done to them and they are trying to collect restitution, with no guarantee that they will recover their losses. By raising the surcharge, you are raising taxes.

"The Republican Caucus is very committed to open and transparent government. We are very pleased with the new GIA hearing and decision making process and appreciate the opportunity to become a part of those discussions. Last year the Legislature saw fit to award the Hawaii Family Law Clinic $75,000. Legal Aid Society of Hawaii received $810,000, Na Loio received $422,296, and $600,000 went to Volunteer Legal Services Hawaii under Operating GIAs. Additionally, the Domestic Violence Clearinghouse and Legal Hotline, Oahu and Volunteer Legal Services Hawaii, Oahu received $500,000 and $50,000 respectively for CIP GIAs. Kokua Legal Services Inc., Legal Aid Society of Hawaii, No Loio, and Volunteer Legal Services of Hawaii submitted GIA requests this year for an amount totaling $2,668,000.

"Mr. Speaker, I am not opposed to providing low-income people with legal services when they need it. However, I cannot in good conscience support this roundabout way of infusing additional and unaccounted for State monies into the pockets of organizations that are also receiving State funds from the Legislature through the Grant-in-Aid process. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3422, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," passed Third Reading by a vote of 45 ayes to 3 noes, with Representatives Ching, Finnegan and Meyer voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 786-08) recommending that H.B. No. 2758, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2758, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"On Stand. Com. No. 786, I just want to declare a potential conflict of interest. My husband works for and has invested in the Hawaii Medical Center," and the Chair ruled, "no conflict."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I stand in strong support of HB 2758 HD 2.

"The purpose of this bill is to ensure the continued strength of Hawaii's healthcare safety net by requiring the Department of Taxation (DOTAX) to defer General Excise Tax collections for any private hospital located in a county with a population greater than 500,000 that has an annual patient population consisting of 60 percent or more of uninsured, Medicaid, and Medicare patients. The Finance committee changed its effective date to July 1, 2020, to encourage further discussion on the issue.

"Hawaii Medical Center formerly St. Francis Hospitals is the only major Hospital that is paying GET tax in its hospital operations. They were only recently assessed with paying GET when they changed the name from St. Francis Hospitals to Hawaii Medical Center. The need for financial support would assist MHC to make capital improvements, equipment, supplies, materials or working capital. This bill would provide the State with a strategic tool with which it can enable hospitals to respond effectively to Hawaii's need for quality, affordable healthcare to Hawaii's most under-severed patients.

"Hawaii Medical Center West, formerly St. Francis Hospital West is the only major medical provider for the entire Leeward side of the island. The Second City of Kapolei and the entire Leeward and Central Oahu area are growing in population and Hawaii Medical Center formerly St. Francis Hospitals plays a pivotal role in providing critical emergency and medical services for a very large area of Oahu. Its continued existence is vital to the people of West Oahu.

"MHC is struggling to provide services to a large number of Medicare/Medicaid patients whose government reimbursement does not generally cover the cost of care. Currently, 70 percent of HMC's patients are Medicare/Medicaid and uninsured, a higher percentage than other local hospitals are experiencing.

"This deferment is necessary to help keep MHC solvent during this transition period – so we can continue to provide medical services to this underserved population. In return, MHC will be operating like a non-profit, in that it will not be making any distributions during this deferment period, but instead is committed to investing all its resources in its facilities, operations and services in order to continue to serve this rapidly growing destitute patient population.

"The survival of Hawaii Medical Center is critical, as they service 8,000 in-patients for over 75,000 patient days annually. This does not include the thousands of outpatients that are also served annually and the unique services provided by MHC that other hospitals are not able to absorb. In addition, MHC employs over one thousand employees who contribute hundreds of thousands of dollars in federal and State income taxes that help support the economy of our state.

"One year ago, more than 100 local physicians came together to not only save the former St. Francis Hospitals but also to help perpetuate their chartable values. The Sisters' mission was to provide service to the poverty-stricken, poor and economically challenged of the State of Hawaii. However, even with its non-profit and tax-exempt status, St. Francis was in serious financial difficulty.

"Committed to the public interest, the Good Samaritan doctors took the ultimate step of purchasing the hospitals. They discovered the hospitals were in even worse financial shape than had been anticipated. MHC was forced to make hard decisions and difficult sacrifices to keep the hospital going. They have worked long and hard to improve our operations and become more efficient because they did not want to see our community lose these important institutions, nor did we want to deprive patients of affordable healthcare. In addition, we did not want to see our community lose this organization's unique services that are based on the moral and ethical values of serving the poor and needy that had always been the mission of the Sisters of St. Francis.

"They are determined to keep MHC afloat and continue to serve the underserved and financially challenged patients that St. Francis was serving. By extending to Hawaii Medical Center this deferral,

we would be making a wise investment in healthcare for the destitute people of Hawaii. I recognize we are faced with many competing demands for limited state resources. MHC is simply requesting this deferral in order for MHC to continue to serve its high percentage of uninsured and needy patients.

"MHC is only asking for a more even playing field. They have the highest rate of un-served patients and thier predecessor and ALL other hospitals in the State of Hawaii were/are tax exempt. MHC serves a higher percentage of government insured patients compared to others. No other hospital has the burden of the GET. MHC is only trying to continue to operate and provide services to this underserved population without the added burden of the GET just like St. Francis was and all the other hospitals in the State area. I sincerely believe that your support for the HMC's best efforts to serve these underserved patients would be in the best public interest.

"If we are going to solve the health care crisis that confronts our State and provide a safety net for the uninsured and the underinsured, it is going to take a bold vision, creative innovation and timely investment, both public and private. The deferral will help the State ensure that quality, affordable healthcare continues to be available to society's most vulnerable.

"It would ensure the continued existence of important medical assets in the State to ensure many of Hawaii's most vulnerable populations will continue to have access to health care. I sincerely believe that our support for such a deferral program which will result in more money to the State would be in the best public interest. Please help lead the way by approving reasonable excise tax relief to those Medical Centers that provide medical services to the underserved."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2758, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 787-08) recommending that H.B. No. 2238, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2238, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. On Stand. Com. Report 787, in opposition. Thank you, Mr. Speaker. This bill, the HD 1, requires public housing projects and affordable housing funded by county or State funds to remain affordable in perpetuity. And I think in regard to that, the thing that I am uncomfortable with is, perpetuity. Perpetuity is a very, very long time, and the different types of affordable projects have taken place where I think this may interfere with creative solutions that government and people come together to help with.

"I'd like to name the Kukui Garden situation or even the idea of possibly buying an affordable unit and making it your own. Those are steps for people that need these types of homes or rentals to be able to live the American Dream. That's one of the things that home ownership has been known as an American Dream. And I just don't know how this would be affecting those type of situations. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I rise in support. First I just want to say I think that as far as the American Dream, there are plenty of properties out there with all the market price development going on. If you want to pursue the American Dream, you have plenty of chance to do that.

"But I really disagree with HPHA's decision to sell public housing and affordable housing, such as their Section 8 properties, to private developers who are not willing to maintain a perpetual affordability requirement. This bill requires that all sales are made affordable in perpetuity. In Hawaii, housing is so very scarce and to sell our precious State public and affordable housing will cause future generations to forever lose the few areas that we have set aside for the needy. It's very upsetting to me when I hear things like units in Kaka'ako that were only affordable to the first buyer, or I fret when I hear that developers only have to enforce a 10-year buyback provision. What will happen after that? Will we see gated communities and mansions on our precious previous public housing properties?

"I realize the HPHA is in need of money now to do their critical job. However, I think it's short sighted to jeopardize the future of our children and grandchildren for our current benefit. Many organizations like nonprofits and community land trusts are waiting, willing and unable to manage land that is affordable in perpetuity. Mr. Speaker, we really should partner with these groups to do what is right for the future of Hawaii. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just in rebuttal. It took a really creative situation to do Kukui Gardens, and what it did was, the plan is basically to help sustain affordable units. They're mixing it with non-affordable units. This is where I think this may be a little short sighted. We may not be able to take advantage of those types of creative opportunities.

"The other point is, when you have affordable units, not always is that the best social situation. I think we've also heard testimony or people who come and say, 'Hey you know what? It's good to have mixed affordable and non-affordable in the same building, or in the same project.'

"So I don't want to propose any extreme measures, but I do want to say that this does not create the situation that will allow us to do what we want to do, which is to create more affordable housing and keep it sustainable by having creative opportunities to do that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2238, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 788-08) recommending that H.B. No. 2512, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2512, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in support with some reservations. This bill, as originally introduced appropriated $500,000 from the general fund to go to HHFDC to assist developers in contracting for third party review and certification, to expedite the process and issuance of building permits for housing projects that are affordable.

"I'm just concerned, that the agency, HHFDC, was concerned that it is diminishing their budget. But I'm also concerned that there's no

guarantee that this will actually speed up anything. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. In support. This bill represents a really rare time when the State and the City are in agreement over how to expedite the processing of affordable housing.

"In my short tenure as your Human Services and Housing Chair, I've seen much discord over this subject with top county and State officials pointing fingers at each other as to why this permit process seems to be failing. And this concept of third party review was suggested to me by the City Department of Planning and Permitting last year. At the time when the discussion various measures such as forcing the City to speed up, give them funds to hire more staff and transferring their duties to the State.

"The counties oppose all of these measures. They did not want unfunded mandates or the sacrificing of their homerule in environmental laws. They even stated that giving them more money to hire staff wouldn't work because of the severe shortage of engineers and architects, and that no matter how much money we give them, they'd never be able to compete with the private sector. But what DPP did do is urge funding of third party review.

"Now this is a process that's already in place and where the counties can certify private entities like engineers and architects to conduct the business of certifying various aspects of the permits. So this prevents having to reinvent the wheel. It does not involve having to hire additional civil servants, and is really a win-win situation.

"HHFDC was in support of this measure and Director Dan Davidson testified that the $500,000 appropriated could pay for approximately 20 projects. So I think that really, 20 affordable housing projects that would be expedited in this manner, and does not offend the county, environmentalists, developers and the like, is truly priceless. And given the small appropriation, this is a measure that really has a lot of 'bang for the buck'. Thank you."

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

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

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2512, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 789-08) recommending that H.B. No. 2513, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2513, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS AND MAKING AN APPROPRIATION TO THE DWELLING UNIT REVOLVING FUND," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 790-08) recommending that H.B. No. 2514, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2514, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONVEYANCE TAX," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

At 11:49 o'clock a.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2978, HD 1
H.B. No. 3422, HD 2
H.B. No. 2758, HD 2
H.B. No. 2238, HD 1
H.B. No. 2512, HD 2
H.B. No. 2513, HD 1
H.B. No. 2514, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 791-08) recommending that H.B. No. 2515, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2515, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. In strong support. Kukui Gardens as we all know is an 857 unit low-income apartment complex on the edge of Chinatown. When news of the sale of Kukui Gardens came to light, residents of Kukui Gardens, many who are elderly feared they would have no where to go. This bill provides the second portion of funding that in turn, reduces the debt service stemming from Hula Mae Multi-family revenue bonds issued to finance the purchase of the outstanding portion of Kukui Gardens.

"The bill is an example of how the Governor and members of the government addressed a pressing issue for this for Hawaii citizens. Since then, the Administration has endeavored and it has succeeded in helping to keep half of the property affordable and the other available for mixed use, retail and office purposes.

"Given the shortage of affordable housing, many people were in danger of losing their homes, but because of this Legislature, Members of this Legislature and the Administration, we were able to keep 389 apartments affordable for the next 60 years.

"I vote in strong support of this bill, not only for what it has done for the residents of Kukui Gardens, but also for what this bill represents in terms of what government can represent, working together for the people and making sure that people are taken care of. Thank you to this Legislature, and in particular, the Speaker of the House. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2515, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KUKUI GARDENS," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 792-08) recommending that H.B. No. 2558, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2558, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I stand in support of Stand. Com. Rep. No. 792, House Bill 2558. On January 17th of this year, Cyrus Belt, only 23 months old, was thrown from the H-1 freeway pedestrian overpass. According to the City medical examiner, Cyrus died from a 24-foot fall. Earlier in that day police found young Cyrus wandering and brought him back to his house.

"Mr. Speaker, not every child in Hawaii is raised in a safe and loving home. While often we don't realize the children become victims of abuse and neglect, sometimes from the very people they trust the most: their parents and guardians. Child abuse and neglect has a devastating impact on the life of a child that goes beyond immediate physical and emotional harm that is inflicted on them.

"House Bill 2558 authorizes the Department of Human Services to conduct unannounced visits to inspect a parental home in which a household member was convicted or adjudicated for certain offenses of child abuse or neglect. It establishes a Well Child Follow-up Visit Pilot Project. Unannounced visits and the Follow-up Visits Project is a unique preventative approach to assist the needs of our at-risk families.

"This measure could provide the needed safety net to prevent families from re-entering the criminal system as they would be able to address possible child abuse and neglect concerns before they escalate into irreversible harm or abuse. Thank you, Mr. Speaker."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"In support. With the tragic death of Cyrus Belt fresh on our minds, the timing of this measure, which was actually envisioned before his death, could not be more perfect.

"HB2558 was designed with the well being of our *keiki* in mind. When there is potential for abuse of a child we must do all we can to prevent that from happening. By establishing a child follow-up visit pilot project to make more regular and unannounced visits to homes with an abuse potential, it will surely limit the risk factor for our *keiki*.

"Your Committees on Human Services & Housing and Judiciary have heeded the requests of DHS and the Attorney General and made their recommended changes.

"For example, the Judiciary Committee amended this bill by adding a purpose section to clarify the statutory provisions provided for in the bill, and made several other critical changes.

"Our *keiki* are our future and we must do all we can to protect them from harm."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 2558, H.D. 3 that Authorizes the Department of Human Services to conduct unannounced visits to inspect a parental home in which a household member was convicted or adjudicated for certain offenses of child abuse or neglect.

"I believe there are ways to improve the process in which we protect our *keiki* and prevent situations from getting out of hand without infringing on the constitutional rights of our citizens. In my opinion, a program of this magnitude is too expensive and poses numerous legal and liability concerns. Thank you, Mr. Speaker."

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

"Thank you, Mr. Speaker. I also have reservations on this measure. I think the Department of Human Services said it would take about $6 million to do this and they didn't feel they had the money or the staff to do what this bill calls for."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2558, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 794-08) recommending that H.B. No. 2527, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2527, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

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

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. This bill requires the Department of Land and Natural Resources to establish a system of greenways and trails, and also requires the Office of Planning to coordinate Smart Growth planning. I actually have problems with both of those purposes.

"First I'll address the greenways. The problem with this is that they're asking the DLNR to expand the scope of its Na Ala Hele Program into urban transportation management. The Statewide greenway concept is much larger in scope and function than the Statewide Trails and Access System Program and trying to fit the same programs under the same umbrella may dilute the focus of the Na Ala Hele Program and diminish both the resource management and recreational values derived from this small program. DLNR said this bill goes way beyond the scope and intent of the Na Ala Hele Program and is beyond its staff ability at the present time. Before we consider passing this bill Mr. Speaker, we should have assurances that DLNR has the necessary staff and training to handle the job.

"On the section in the bill that asks for the Office of Planning to act as an advocate and coordinator for Smart Growth principles, I would say we should move a little slowly in this area and that the question is: Is Smart Growth really that smart? Portland, Oregon went into this just big time over the last 20 years, and the strategies that they used have created a situation where their housing crisis skyrocketed and has increased traffic congestion dramatically. This was caused by them drawing lines and saying, 'This is the Smart Growth area. You cannot go beyond this area for urban growth.' They set them up many years ago, but they haven't expanded them and it's created this push and actually not made it a better place to live.

"I think we all read the paper the last couple days where some environmental terrorists set four model homes on fire in Seattle. If you listen to some of the radio news, they are characterizing these people as actually non-sprawl activists. They don't want sprawl. That's one of the key things about Smart Growth, we don't want sprawl, but these people have taken it way out there to limits that we should not, nobody should condone, but you don't hear a hue and cry.

"If these folks had gone after a new affordable housing building, or a new shelter for the homeless and set them on fire. Well, I'm just saying we have to keep things in perspective. People deserve to have choices and I don't think it is always appropriate that the government mandates and thinks that they have the design that fits the purpose for all people. Just this group called the Earth Liberation Front. Obviously they have agendas. They don't want the sprawl, and they want everything to be green. They scrawled on the wall of this

building, 'Build green? Nope, black,' and that gave them enough justification to set up very complex explosive devices that torched these places. Anyway, I'm really worried about Smart Growth, Mr. Speaker. Thank you, very much."

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

"Yes, I rise in strong support. Greenways are a very, very important aspect of preserving our open spaces, as well as preserving our access to it. I agree with the comments about DLNR and the Na Ala Hele Program not being enough, or sufficient to actually create such a program in Hawaii, but they are the right State agency to take the lead in actually facilitating such a program.

"I think the intent behind this bill is to actually create more of a Greenways Commission which would come out of hearings that Na Ala Hele could initiate, that would actually pull together all the stakeholders in creating a good greenway system because it does take more than just the State. It does take more than just a small program of DLNR. It takes the whole community. It takes landowners and other folks who can not only bring their expertise, but their money to the table.

"So it is a good first start, a good first step toward creating a Statewide greenway system, and it gives it the official backing of the government to see this thing get going.

"The other part of Smart Growth is that I think what the previous speaker was referring to regarding urban growth boundaries, which is part of some Smart Growth initiatives, I'm not so sure it's part of this one. But the idea of choices is true, and the choices in Smart Growth actually relate back to that. The idea that we can make choices outside of the sprawl that our current land use laws basically implement, where all the zoning is separated and you can only get from the commercial to the residential to the industrial with your automobile.

"So the idea is that we now push it all back together and create the types of communities that actually provide choices outside of what we have now. Choices where people can live above where they work, and live and work and play and walk in the same communities instead of having to drive everywhere. Right now we don't have those choices. So this is about choices. It is moving forward for greenways for our State, which is something that 70 percent of people in a recent study they did actually a couple of years ago said they support. It's the one bicycling improvement that everyone supports and that is off-road trails. It is the safest way to get around and it also preserves our open space. Thank you."

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

"Mr. Speaker, I rise in opposition with a rebuttal to my colleague there from Maui. When I started reading this bill, I realized it was a few pages, maybe about 20 pages of it. And I started out with a very good, warm feeling that this bill is good, well-intended and it affected the work of a lot of people. It is very comprehensive.

"But then when I got to the portion when it started talking about penalties: civil penalties, criminal penalties, and prison sentences. I said to myself, 'No, no, no. I don't think that this should be something on the Floor of the House that we're voting on.' The title says, smart growth. It's not about felony charges. So I think that this is a great plan, but I don't think it belongs in the statutes, Mr. Speaker. I think it belongs in the State Plan, but I don’t think we should be writing prescriptions here on how people live and where they work.

"I think that we should pull back and re-look at this matter and perhaps we need to study this bill more and it should go in a State Plan, rather than us deciding for the future of our people in the manner of where they live and work. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support very briefly. I just want to rebut the statement from the Representative from the 47th District to say that Portland's model is not a good one. On the contrary. I think it's a very good one. The reason prices have gone up in Portland is that people want to live there. And the traffic has gotten worse because the population has increased. The last time I checked here on Oahu, the traffic's pretty bad and our housing prices are really high. So I think those statements are misinformed. Mahalo."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Just a brief rebuttal. Portland also went into mass transit. A lot of their development was built around the mass transit, and they wanted the mixed use so they had commercial space on ground floor. In many of those buildings they did not make any provisions for parking cars, with this idea that nobody would need a car because the transit was there. The commercial operations on the ground level, they couldn't make enough money because the people that didn't live in the building couldn't drive and park there because there was not adequate parking. Somebody that was an entrepreneur got some land next to some of these buildings and built a parking lot because the people who bought into some of these condominiums with the mixed use, they all had cars and there was no place to park them.

"As far as the congestion, as they move their mass transit out somewhat from the urban core, they went to ground level, surface level and they took streets that previously had been not too congested, but when they got the rail running down the middle and removed two lanes, they created havoc as far as congestion. I think these things can work, but I'm just pointing out some of the problems with them that people didn't consider ahead of time. Some of those condominiums were half-built and left there for years until some developer was able to pick them up at a song, a good price and tried to make them work. But that's because there was poor planning.

"As far as the traffic, I don't know what they're going to do about that. They've eliminated lanes. We saw the previous Mayor of Honolulu do a similar thing. He bought into Smart Growth, started putting in these traffic calming devices into neighborhoods in Kailua that absolutely eliminated a lot of parking stalls, created a dangerous situation on roads with these things that jutted out into the middle of the road.

"I think we have to move slowly, we should look at the problems they've had in other areas and learn from that. But just this idea of the sound bite of the day: 'Smart Growth. Hawaii is for Smart Growth.' Maybe we could just slow down a little bit and see what's happening in other areas. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2527, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SMART GROWTH," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Meyer voting no, and Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 795-08) recommending that H.B. No. 2828, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2828, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, I'm sorry I was waiting for my colleague from the 48th District to bounce up because this is a very good bill. This is

Stand. Com. No. 795. It's a bill trying to appropriate money to operate the Super Sucker. I think most of us have read things about it in the paper. It's a very good thing for harvesting alien seaweed and they've been using it with great results. We're also talking about a Junior Sucker. I'm very happy to see this bill."

Representative McKelvey rose to speak in support of the measure, stating:

"In support. And I'd like to say that never let it be said that I didn't support a bill that sucks. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2828, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE SUPER SUCKER," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 798-08) recommending that H.B. No. 3391, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3391, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am voting with reservations. Thank you, Mr. Speaker. In light of our budget and trying to not spend as much money, I'm just not at the point of being convinced that there needs to be this particular report. Basically DLNR does a lot of reports already, and this might be a way that we can save a million dollars. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3391, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 800-08) recommending that H.B. No. 2259, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2259, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support with a few brief comments. Mr. Speaker, the appropriation in this bill would allow for a feasibility study of a spaceport, a spaceport right here on Oahu. It brings the tourism industry into space tourism. Space tourism is going to be alongside now the surf, the sand and the sun because we've always talked about diversification of the tourist industry, well this is one that's going to do that.

"What's exciting about this is that there are a small number of licenses for spaceports in the U.S. This appropriation will allow Hawaii to have a leg up on one of the next spaceport licenses. And we've already had interest received from Rocketplane, which is an XP plane that will allow residents, as well as visitors to have a weightless experience. The cost is reasonable compared to what it used to be.

"I think that this bill is not only going to bring high skilled jobs and high paying jobs, it's anticipated to bring $200 million in for State revenue. And I mentioned earlier that it's going to be right here on Oahu, because these planes, these space planes actually take off and land horizontal and they can do it right here at the Honolulu International Airport. In conclusion Mr. Speaker, this is the way to diversify our tourism industry and it's really out of this world. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2259, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 801-08) recommending that H.B. No. 2473, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2473, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 802-08) recommending that H.B. No. 2781, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2781, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in support of HB2781 with reservations.

"While this bill has a good intent, it seems to be unnecessary as interested parties already have ample opportunities to testify before the Small Business Regulatory Review Board at public hearings on proposed rules. Per DCCA's testimony, they feel that the protections currently in place are appropriate and help ensure that regulations do not slip by without input.

"Furthermore, DCCA notes that some of what is in this bill is already required under the law and that they have never heard a single objection from SBRRB or anyone else associated with the process that agencies are not following the law or not providing the required information.

"It should also be noted that DCCA has testified that they have not heard any explanation as to why this proposal was offered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2781, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Cabanilla, Nakasone, Souki and Takai being excused.

At 12:10 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2515, HD 1
H.B. No. 2558, HD 3
H.B. No. 2527, HD 1
H.B. No. 2828, HD 1
H.B. No. 3391, HD 2
H.B. No. 2259, HD 2
H.B. No. 2473, HD 2

H.B. No. 2781, HD 2

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 806-08) recommending that H.B. No. 3286, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3286, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3286, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MINING," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Carroll voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 879-08) recommending that H.B. No. 2766, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2766, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, on Stand. Com. No. 879, I would like to speak in favor. This bill is about accountability and protection. Domestic violence situations as we have all learned, are not black and white scenarios. And experts have told the Legislature that a victim does not always want to leave the abuser. However, if a victim does decide to leave, we must hold the abuser accountable. And if he violates a court order of protection, we must further protect the victim from further victimization.

"The purpose of this bill is to allow courts to require electronic monitoring of persons convicted of violating a domestic abuse protective order because many of the people who take out orders of protection are women. I'm very proud that this is passing as a Member of the Women's Caucus who sponsored this measure, and of the Republican Caucus which is over 80 percent female. I'm encouraged to see this bill pass through the House.

"As many of the testifiers have highlighted during the Committee hearings, one of the most important tools to deter abuse is to hold them accountable. And if a TRO is insufficient, we will have to use stronger measures such as electronic monitoring.

"Opponents of this bill have raised objections, arguing that the system is too costly for some. While I do concede this point, perhaps we should all work together toward a reasonable solution to the cost issue. If we do not, we will eventually have to face the stark question of whether another tragic death was worth the penny pinching, $5 a day.

"As a society we cannot turn our backs on the victims, male or female, who have mustered enough emotional and physical strength to live through an abusive relationship. Now it is not too much for these courageous people to expect the Legislature to have enough political strength to provide them with the protection that they need. I ask you all to support this measure. Thank you."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB 2766 – Relating to Electronic Monitoring.

"Victims obtain Temporary Restraining Orders (TRO) or Protective Orders (PO) as legal means for seeking safety from domestic violence. Statistics show that approximately 75% of women murdered by a partner or former partner had separated from their batterer or told their batterer they planned to leave.

"The intimate nature of these relationships means that the offender is well-versed in the victim's routines, and personal and social affiliations, such as family, friends, and membership in organizations. He knows when and where she works, the school where she waits to pick up the children, her telephone numbers, as well as her travel routes to reach home, work or fulfill other responsibilities, needs or preferences. Such knowledge of her daily routines furnishes the abuser with numerous opportunities to harass, talk intimidate, assault or abuse the victim in violation of protective orders.

"The electronic monitor is a global positioning satellite (GPS) device. Its purpose is to reduce contact between an order violator and the victim. If the order violator enters a court defined exclusion zone, the victim and the police will be notified as to the violator's location.

"Electronic monitoring serves as an additional tool that would assist in protecting victims and their children's safety."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, on behalf of the opposite sex in the Caucus, I wish the comments of the previous speaker to be entered into the Journal as if they were my own."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. And may I have the words of the previous speaker entered as my own, except for the portion of the Hawaii Republican Caucus. Thank you."

Representative Finnegan rose in support of the measure and asked that the remarks of Representative Marumoto be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in strong support for HB 2766, H.D. 2.

"Electronic monitoring has become an effective tool in ensuring the safety of individuals who have restraining orders against their abusers. The untimely death of 29 year old Janel Tupuola and 39 year old Jenny Hartsock is a testament of abuse that eventually leads to death. Would Janel and Jenny be with us had this bill been implemented? I cannot say. However, I can say that this bill is definitely a step in the right direction. Thank you, Mr. Speaker."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"In support. Although the Judiciary Committee had concerns that this measure may be unnecessary and difficult to implement, the bill

provides the critical appropriations necessary to ensure that domestic violence perpetrators can be electronically monitored.

"My staff contacted the Hawaii State Coalition Against Domestic Violence, Domestic Violence Action Center, Na Loio No Na Kanaka, and VOICES. These advocates strongly feel that although electronic monitoring may already be permitted by the HRS, they have never seen it implemented. They believe this specific bill which mandates the devices would ensure that more abuse cases get the monitoring devices which are desperately needed.

"The recent tragic deaths of many domestic violence victims points to the dire need for this type of protection.

"In many situations the abusers of domestic violence victims comply with the restraining or protection orders and stay away from the victim. However, in some situations the order does nothing to deter the abuser from pursuing and harming the victim. In these cases, the victims need more protection.

"HB2766 allows the courts to require electronic monitoring of persons convicted of violating a domestic abuse temporary restraining order or protective order. The purpose of electronic monitoring is to reduce contact between an order violator and the victim. Electronic monitoring will provide victims and police with an alert that the abuser is near if the order violator enters a court defined exclusion zone. It also will make abusers aware of their actions and possibly make them more accountable.

"Electronic monitoring for temporary restraining and protection order violators would serve as an additional tool that could safeguard victims, and their children. The projected costs for the electronic devices are in no way too expensive when it comes to protecting someone's life."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2766, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 881-08) recommending that H.B. No. 3008, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3008, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of this bill. We all know the importance of having access to quality healthcare. Oftentimes it could mean the difference between life or death, which is why I rise in support of this measure today.

"Low-income or rural communities often have a "small town feel" to them, including the existence of a single healthcare facility for the entire community. In these areas our Federally Qualified Health Centers (FQHCs) are most often than not that healthcare facility. However, because they are government-subsidized facilities their funding needs are not always completely met.

"FQHCs are often the only healthcare facility in low-income and rural areas of our State. They are usually the place responsible for ensuring the health and well-being of their communities.

"Like the rest of the State, these communities are growing and the FQHCs need to be able to grow along with the community in order to continue meeting their health needs. It is also critical that these FQHCs have the tools necessary in order to provide their clients with quality healthcare.

"This bill proposes a tax credit for those FQHCs to be eligible for a tax credit on any monies used to improve their facilities in order to better serve their clients. Some see it as a tax credit. I prefer to call it an investment in our State's health.

"This is not a perfect bill. It needs further discussion to work out clarifying verbiage and issues flagged by the Administration regarding the fiscal impact, but the intent is clear. Private healthcare organizations such as HMSA are required to re-invest any excess profits over a certain amount into healthcare services for their clients. Passage of this bill will help re-invest the money that would have been spent on taxes into increased healthcare for the beneficiaries of the FQHCs.

"The monies that the FQHCs save through this measure can be better spent on providing upfront, preventative and maintenance healthcare which will help us reduce future spending to subsidize the uncompensated care cases that FQHCs and our other hospitals take on because there will be healthier people and less reasons to need emergency care.

"Hawaii is one of the healthiest states in the country. Helping our rural and low-income health care facilities upgrade and improve their facilities and services through a tax credit is consistent with that claim. This bill has great merit. Let's continue the discussions on this measure and re-affirm our commitment to improving the quality of healthcare in our State. Thank you, Mr. Speaker."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in strong support of House Bill 3008, which provides a tax credit for Federally Qualified Health Centers (FQHC).

"I speak not only as the Representative of a district that is served by such a center. I speak also as Chair of a Committee that has heard convincing testimony calling for this kind of support for our health centers in rural and underserved areas throughout Hawaii.

"Hawaii's 14 community health centers are vital safety net providers. They face increasing demands for a variety of free and discounted medical services. The tax credit proposed in this bill has been designed to provide incentives for low-income communities to capitalize on existing private fundraising initiatives and seek non-State dollars for capital improvements and other needs.

"Three House Committees, including Finance, have incorporated amendments suggested by the Department of Taxation, resulting in the HD2 we are voting on today. The amendments will help to minimize revenue loss, reducing considerably the range of financial impact suggested in the Department's testimony. A realistic estimate is that, over a five-year period, the proposed refundable tax credit would be about $25 million and would stimulate nearly $130 million in improvements and expansion for community health centers.

"I urge my colleagues to join me in supporting HB 3008."

Representative Ching rose to disclose a potential conflict of interest, stating:

"I'd just like to pose again, I may have a conflict of interest. My husband works for HMC. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3008, HD 2, entitled:

"A BILL FOR AN ACT RELATING TO QUALIFIED IMPROVEMENT TAX CREDIT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 884-08) recommending that H.B. No. 3400, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3400, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"In support. This measure provides much needed assistance to a gap group of people. Under current law, you must generally be blood related to a child in order to qualify for welfare assistance.

"Current law leaves out people who, often due to CPS intervention, volunteer to become legal guardians over abused and neglected minors. "Legal guardian" means a person appointed by a court of law to serve as a legal guardian over a minor.

"If the legal guardian is not blood related to the child, they will not qualify for welfare cash assistance.

"HB 3400 requires the Department of Human Services to amend its administrative rules to add "legal guardian" to the definition of a specified relative.

"Please support this critical measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3400, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 887-08) recommending that H.B. No. 2913, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2913, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker I stand in strong support. I applaud the commitment of Saint Francis Healthcare system and the National Kidney Foundation of Hawaii in their effort to establish a public/private partnership in the fight against this deadly disease.

"Chronic kidney disease is preventable, but all too often goes undetected until it is too late and the damage is irreversible. Increased screening, patient monitoring and research is needed now to help 20 percent of our population who either have or may develop this disease. I ask all my colleagues to join in this effort to save lives. The need is immediate and the investment is marginal with the greatest of returns. Thank you."

Representative Hanohano rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support of this bill. According to the studies from the Centers for Disease Control, ethnic minorities like Filipinos, Hawaiians, Chinese and Japanese are understudied in the area of medical research. This revolution comes at a time when we are in an epidemic environment related to chronic kidney disease.

"Mr. Speaker, with over 156,000 of Hawaii's population at extreme risk, efforts need to be made now to slow the progression of this disease in our communities. Our people are dying and we can no longer sit on the sidelines. I urge my colleagues in this Chamber and in the Senate to prioritize this bill which supports increased screenings and research in this area. Thank you, Mr. Speaker."

Representative Manahan rose to speak in support of the measure, stating:

"Mr. Speaker, strong support. And may I have the words of the previous speaker entered as my own?"

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. It's my understanding we have among the highest incidences of chronic kidney disease in the nation. Legislation was introduced on this last year with no success. So I would just urge this body to take appropriate action this year to help curb this disease. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support of Stand. Com. Rep. 887. Mr. Speaker, as Hawaii recognizes March as National Kidney Month, I join my colleagues in their efforts to increase awareness and to address the devastating effects of chronic kidney disease. Over 156,000 residents of Hawaii Mr. Speaker, 156,000 already have chronic kidney disease, and another 100,000 are predisposed to contracting it.

"Of the five stages of this disease, the most critical is stage five which is end-stage renal disease. More than 2,300 Hawaii residents must receive life-saving dialysis three to four times a week because they're classified in stage five. Their kidneys have failed. Nationally more than 20 million Americans have chronic kidney disease, which is a precursor to kidney failure.

"Patients with kidney disease experience a gradual deterioration of kidney function that eventually progresses to kidney failure. Patients may live with the disease for 10 or more years without any symptoms before their kidneys fail. Once a patient develops kidney failure, his or her kidney function is so low, that without dialysis or kidney transplantation, death will occur from acculmilation of fluids and waste products in the body.

"Mr. Speaker, the main cause of this disease is diabetes and high blood pressure which disproportionately affects minorities. In fact, Hawaii has the highest rate of chronic kidney disease in the nation per capita. Given the fact that early signs of chronic kidney disease have no symptoms, most people do not realize that their kidneys are about to fail. Therefore it is of critical importance that we increase awareness, screen and program so that we can detect and treat kidney disease before it's too late.

"This measure before us Mr. Speaker, provides the St. Francis Healthcare System and the National Kidney Foundation of Hawaii will commit, and this is a solid commitment, $1 million. And they are asking that the State match this amount to implement a three-year pilot project to address chronic kidney disease and kidney failure in the State of Hawaii. Treated early, our residents with kidney disease will experience an improved quality of life and be able to maintain more daily life activities including keeping their jobs.

"Today the House of Representatives will decide if we can support a project to address chronic kidney disease in Hawaii. Mr. Speaker, I respectfully request you and the rest of the Members of this body to support House Bill 2913. Thank you."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support, briefly. For patients on dialysis, it's a very difficult way to live. You have to do three times a week typically. One of the problems that we've run into is that Medicare and Medicaid reimburse pretty poorly, and so programs that run just dialysis tend to lose money no matter what, but they're absolutely life preserving for those individuals. So these programs because the federal government, and in some cases our State government hasn't had enough money for services for people who are on dialysis, end up leaving us in a situation where absolutely life sustaining procedures have to either be supported with outside dollars or grants.

"So that's really where we are. This program will close if we don't do something here as a State. The Department of Health is doing a very good job taking it up. They've asked the Legislature to help. I think it's a good partnership, and we'll definitely save lives with this program. Thank you, Mr. Speaker."

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support for House Bill 2913, Relating to Kidney Disease. As the author and chief introducer of this bill, I'd like the words of my colleagues in support to be entered into the Journal as my own. I would also like to submit written comments.

"We need to look at this earnestly because this is a silent killer that affects everybody, in the walks of life that we have. Again Mr. Speaker, thank you."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, as the author of this bill, I stand in strong support of House Bill 2913, House Draft 1. Mr. Speaker, this measure provides funding for a program to address the dialysis and chronic kidney disease needs of patients in the remote areas of the State of Hawaii. This measure is committed to the goals of better prevention, early detection, treatment, and expanded education efforts.

"Worldwide, there has been a staggering rise in the number of people with Chronic Kidney Disease, largely as a consequence of the aging population and the growing global epidemic of Type II diabetes. In the U.S., there are over 26 million Americans that have CKD that translates to over 150,000 people in Hawaii and over 100,000 more people at high-risk of CKD. Diabetes, hypertension, overweight/obesity constitute the key CKD causes and risk factors. Since these factors are largely lifestyle related, it offers opportunities for effective CKD prevention. All kidney disease risk factors and causes are highly prevalent in Hawaii, especially among certain ethnic groups, such as Hawaiians, Pacific Islanders, Filipinos, and persons of lower socioeconomic status.

"Chronic Kidney Disease is a progressive illness that has a silent, symptomless onset and is characterized by declining kidney function over years. During the later stages of kidney disease, referred to as End Stage Renal Disease, patients will require dialysis treatment or kidney transplantation. Despite numerous guidelines to screen patients at high risk of CKD, many patients remain unscreened or are poorly characterized with respect to the extent of their kidney disease. Chronic noncommunicable disease have now replaced the communicable disease as the leading threat to public health and health budgets worldwide.

"Deaths claimed by infectious disease will decline by three percent over the next decade. In marked contrast, chronic disease – that already account for 72% of the total global burden of disease in people over 30 will increase by 17%.

"In Hawaii, there are over 2,300 people on dialysis. At $65,000 per patient per year, we are spending over $150 million on medical related costs of patients on dialysis.

"Mr. Speaker, I urge my colleagues for passage of this measure as an opportunity to insure early detection and treatment of Chronic Kidney Disease in delaying the progression, prevent and treat complications and produce better healthcare outcomes for the people of Hawaii. Thank you, Mr. Speaker."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.B. 2913, which awards a grant to St. Francis Healthcare System to support the modified home care and community health demonstration project.

"Up to ten percent of our State's population has chronic kidney disease. The size of this segment of our population forces us to confront and address the challenge of providing the best care to those of our fellow citizens with chronic kidney disease. H.B. 2913 creates an opportunity to insure early detection and treatment of chronic kidney disease to delay its progression, prevent and treat complications of chronic kidney disease and produce better healthcare outcomes for the people of Hawaii."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2913, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KIDNEY DISEASE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 889-08) recommending that H.B. No. 2005, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2005, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. House Bill 2005 expands the Renewable Energy Technologies Tax Credit to include solar electric energy systems, as well as some wind powered energy systems. The tax credits range from $200 up to $500,000. It includes residential homes, as well as commercial properties.

"I voted no in the Finance Committee because of a provision that was put in the amendment. A Representative here on the Floor spoke earlier about a company. I may not pronounce the name properly, but I think it was SOPOGY. They've asked for a special purpose revenue bond. They are planning to put up solar panels on marginal agricultural lands, and we're talking about many, many acres, and they will qualify probably for this $500,000 tax credit.

"I think the idea of giving tax credits for alternative energy is because we're trying to encourage people to use these technologies so that we use less fossil fuel to make electricity. But in this situation, the representative from SOPOGY wanted the provision put in the bill that they could sell their tax credit to another party who needed tax relief, and they would get cash payment. That just somehow doesn't sit well with me.

"The tax credit is given by the government to encourage people to invest their money in these things and get some kind of break. And here we have a very large operation who's going to put some extra money in their bank account with a tax credit. And I don't think that's

what the tax credit expansion was for. Thank you, Mr. Speaker. I was speaking with strong reservations."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill would expand the renewable energy technologies tax credit to include solar electric energy systems. The reasoning is solar generated electricity can come from a broader range of technologies than just photovoltaic (PV), such as solar thermal systems that produce electricity. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Mr. Speaker, in support with just short comments. Thank you. An idea came up in testimony to offer low-interest loans to help people purchase these systems, and then repay the loans with savings from electricity bills. I felt that that made a lot of sense, and I hope that we would consider that in the future. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2005, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

At 12:26 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3286, HD 1
H.B. No. 2766, HD 2
H.B. No. 3008, HD 2
H.B. No. 3400, HD 2
H.B. No. 2913, HD 1
H.B. No. 2005, HD 1

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:28 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Mizuno introduced the Honorable Mildred Elayado, Vice-Mayor of San Esteban, Ilocos Sur in the Philipines and her husband, Mr. Ray Elaydo.

Representative Mizuno also introduced some former residents of San Esteban: Dr. Ramon Lores and his wife, Mrs. Violeta Lores; and Mr. Vlademir Valera and his wife, Mrs. Divina Valera. They were accompanied by Dr. Benedito Galindo, Ms. Nena Benitez, Mr. Rey Edralin, and Ms. Cristina Ugale, as well as Representative Mizuno's staff, Mr. Edgar Fernandez.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 891-08) recommending that H.B. No. 2505, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2505, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 892-08) recommending that H.B. No. 2506, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2506, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of this bill. Several Departments have testified in opposition of this bill for reasons ranging from resource implications to the premature nature of the bill, recommending that Act 253 be allowed to proceed to completion before a reorganization study is commissioned. I am concerned that there are several ongoing actions aimed at addressing energy self-sufficiency and environmental protection, and that we haven’t given these programs an opportunity to present first its findings and second their plan. Reorganizing prior to the fruition of Act 253 may be premature. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2506, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 893-08) recommending that H.B. No. 2507, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2507, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some strong reservations on Stand. Com. Report 893. This bill appropriates funds to establish two new positions within DBEDT to support the implementation of Act 234, which requires statewide reduction of greenhouse gases to 1990 levels by the year 2020. I'm concerned about these two new positions.

"The bill does not point out the background requirements that these folks should have. And also, it doesn’t have any provision in there that would make sure that the Chairperson or the executive in charge is independent of any company that they would possibly be regulating. They shouldn't have a conflict of interest. The way the bill is written, I don't think it ensures that can't happen. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2507, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 894-08) recommending that H.B. No. 2510, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2510, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am voting with reservations on 894 and have short comments. Mr. Speaker I believe that we passed this out in our Legislative Budget in which has since been approved, so I just think this possibly could be duplicative. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2510, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 896-08) recommending that H.B. No. 2952, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2952, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, this is a bill relating to transportation and to the airports. I am in opposition. Basically this is an additional fee that the Department of Transportation can assess on rental cars. We presently have one for $3 a day, and I think we're considering extending this. So this would be in addition to that. It makes it kind of expensive for people who rent cars: military people, visitors and residents alike.

"This bill pertains to airports Statewide and can be assessed to all airports, and yet the money that will be collected by this is to build a facility here on Oahu. There was a lot of strong opposition to this measure, particularly from other car rental agencies. It was quite strong opposition, which surprised me. We have raided various funds before, especially the Department of Transportation Highway Fund and so I think that this is another Fund that may be a target for the Legislature.

"Also the Director of the Department of Transportation apparently can unilaterally assess this fee and set the fee, or raise it or lower it. And if this is the case, it's another reason why I am in opposition. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am voting with strong reservations and may I have the testimony of the Department of Transportation to the Committee on Finance entered into the record as if it were my own. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also rise in opposition to this bill. I think it's premature. There's not consensus among the rental car agencies whether it's needed.

"Mr. Speaker I know you and many of us travel through the airport, and when we rent a car, if we have to a get on a bus to get to the rental car, it would seem even more inconvenient. So in view of the visitor industry that we do service, moving all of these rental car agencies off the airport, that may not go well with the fact that we're charging them more.

"We already have a $3 a day charge that we're charging them. So I think this is 'half-baked' and we need to examine this before we really go forward. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On that measure, could you note my reservations for similar reasons as mentioned by previous speakers?"

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2952, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 39 ayes to 8 noes, with Representatives Brower, Ching, Green, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 898-08) recommending that H.B. No. 2301, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2301, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, as I recall this is the anti-Wal-Mart, anti-Costco, anti-'big box' bill that unfortunately speaks to the high cost of living and that we don't want people who are less economically able to afford dentistry because we don't want dentists, according to this bill, to be able to open up a shop or an agency within the confines of those buildings.

"I think that's a constraint of trade. I think it's a punishment to those people who don't have otherwise access to dentists. And I know one of the points in opposition was the notion that if in the middle of the night you're bleeding and you can't get into Costco or to any of these places, there can be other arrangements that can be made for those emergencies. There are many dental offices around. There are many dentists who can attend to those emergencies.

"So I think this bill is again premature, misplaced and a constraint of trade for the sake of the less economically well off in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2301, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Ward voting no, and Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 899-08) recommending that H.B. No. 2954, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2954, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am rising to express some reservations about this measure. This relates to tow-truck companies, they're probably not the most popular company on the road out there, for people who've had to recover their cars from a tow lot. What this bill

does is it accomplishes a trade-off. It says to the tow companies, you can increase your prices for towing a vehicle, provided you stay open 24 hours a day. That would apply really only to this island.

"It was brought to my attention by a person who sent in an email that some of the tow companies engage in a process called 'roaming' or 'fishing.' They go by an area where they know that people might be parked somewhat illegally. They go ahead and start to hook up the car, when the people happen to come out and say, 'Wait a minute. I was just in there for two minutes. Unhook my car please,' the tow company, at least the one that this person is writing about, the tow company refused. They towed the car, even though the tow company was told by the condominium operator to unhook the car. The tow company refused, towed the car out and it was a $220 fee to recover that vehicle.

"I'm concerned about letting them have more money. I like the idea that they have to be open 24 hours a day on an island with a population of more than 500,000, but I really am concerned about giving them anything more until they start adopting procedures that don't include this roaming or fishing kind of operation. Thank you."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2954, entitled: "A BILL FOR AN ACT RELATED TO TOWING," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Green and Pine voting no, and with Representatives Nakasone, Sagum, Souki and Takai being excused.

At 1:42 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2505, HD 2
H.B. No. 2506, HD 2
H.B. No. 2507, HD 1
H.B. No. 2510, HD 2
H.B. No. 2952, HD 2
H.B. No. 2301, HD 1
H.B. No. 2954

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 903-08) recommending that H.B. No. 2211, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2211, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR WASTEWATER PROJECTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 904-08) recommending that H.B. No. 2357, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2357, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am rising with reservations on this and have short comments. This is one of several important agriculture land bills moving through the Legislature, and I believe it is one of the better IAL bills. My main concern however is a fiscal one. At a time when we as a body are asking State government to tighten its belt, the refundable tax credit in this measure sounds like corporate agricultural welfare.

"The Department of Agriculture in their testimony recommended that this credit be made a refundable tax credit, that there be a recapture feature, and that a 10-year sunset date be established. These recommendations, I believe are good in light of the Department of Taxation's revenue loss projections that start off at $12.719 million in fiscal year 2009, and accelerate to $25.28 million in 2013, with a $25.28 million revenue loss projection annually thereafter.

"In light of this, I hope that as this bill moves forward and we tackle the tough issue of important agricultural land, and that we look at some of these recommendations by both the Department of Agriculture and the Department of Taxation. Thank you, Mr. Speaker."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. The purpose of this bill is to provide incentives to establish and sustain viable agricultural operations on important agricultural lands (IALs). Specifically, this bill, among other things:

1. Excludes from gross income, adjusted gross income, and taxable income, rental income, up to an unspecified maximum amount, derived from agricultural leases on lands designated as important agricultural lands (IALs) under certain conditions;

2. Exempts rental income, up to an unspecified maximum amount, derived from agricultural leases on lands designated as IALs from the general excise tax;

3. Allows landowners to develop, construct, and maintain residential dwelling units for farmers, employees, and their families on IALs under certain conditions;

4. Establishes an IAL Qualified Agricultural Cost Tax Credit;

5. Allows the Chairperson of the Board of Agriculture to guarantee loans made by commercial lenders to agricultural producers for the development and implementation of agricultural projects located on land designated as IALs, under certain conditions;

6. Requires the master irrigation inventory plan of the State Agricultural Water Use and Development Plan to include the identification of sources of water used by agricultural operations, particularly those on lands designated as IALs; and identification of current and future water needs for agricultural operations on lands designated as IALs; and

7. Requires certain agencies that issue permits to implement a procedure for priority processing of permit applications and renewals for agricultural processing facilities that process crops or livestock from certain agribusinesses.

"The goal of the incentives and protections included in this bill is to establish and sustain viable agricultural operations on important agricultural lands. The amount of tax credits is a work in progress as we await revenue updates from the Council on Revenues in order to balance our State budget. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, I wanted to rise in support of this measure. I know that it's somewhat controversial, but I believe that allowing farmers to build a house on farm land that they are leasing from a property owner would be a good thing in that we want to encourage farmers and that's one of the problems. So much of the agricultural land, they cannot build a home and it makes it hard. They have to cart their tools back and forth, or take the chance of having somebody go onto

that property and help themselves to their crops or take their tools. I think it would encourage more people to get involved in agricultural pursuits. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2357, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 905-08) recommending that H.B. No. 3177, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3177, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 906-08) recommending that H.B. No. 2739, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2739, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with one reservation on 906-08. Thank you, Mr. Speaker. This House draft allows agricultural businesses to continue to qualify for zone benefits in case of *forced majeure* events, includes lease and jointly employed workers in high rate formulas, changes schedule of hiring increases, counts value-added agricultural product to retail sales toward qualification for tax credits and disallows general excise tax exemption for agricultural product to retail sales.

"My reservation is, instead of using as a measurement, the employment, it should be based on increased revenues. HD 1 still doesn't address the concerns pointed out by the affected parties in the original draft. Mainly, that it is challenging to make the increase and fulltime employee requirements especially when agricultural labor is in short supply. DOA proposed an alternative measurement such as an annual increase in gross income by two percent is something that would be more attainable. Thank you."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I would like to make brief comments on this measure.

"We all know that tax credits and Enterprise Zones (EZ) are one of the Legislature's primary means of stimulating economic growth. However, by trying to ensure the efficacy of a program, we sometimes get in the way of that program's success. In the case of the EZ program, the shortcoming has been its requirement that businesses make new employee increases throughout the period of their EZ tax benefits, even as those benefits decrease.

"This bill keeps with the intent of Enterprise Zones, which is to create economic development via job creation while alleviating the stress on businesses to increase their workforce during their early years.

"For these reasons, Mr. Speaker, I support this measure. Thank you, Mr. Speaker."

Representative Yamashita rose to speak in support of the measure, stating:

"Mr. Speaker, in support. In response to the Minority Leader, we did pass a measure last year to deal with the two percent increase and currently it's in the Senate. This bill is just another option to meet the actual intent of an Enterprise Zone, which is to increase employment in the area that is suffering economically. So this is just another option. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2739, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 907-08) recommending that H.B. No. 2860, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2860, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 909-08) recommending that H.B. No. 2972, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2972, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 912-08) recommending that H.B. No. 2985, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2985, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise to speak against H.B. 2985, it's the Hotel Renovation Tax Credit. I have a problem with this. The tax credit doesn't come into effect until 2014. I don't know what our financial situation will be at that point. But if it continues to be on a downward slide we could be at a place where we just can't give out those taxes and we would have locked ourselves into that sort of a thing. Because a hotel will be making plans six years out, or might be making plans six years out and then all of a sudden realize that they can't afford this economically. I just don't think that this is a good idea. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in strong support. Mr. Speaker, we had a similar bill in the late 1990s and we did pass that. Unfortunately Governor Cayetano vetoed it. If that had become law, we would have stopped the conversion of hotel rooms to condos and timeshares.

"We have an aging visitor industry inventory. We compete worldwide. We would be better off with this bill if we made those tax

credits immediate so we could stop those conversions that have cost us employment opportunities and taxes. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support and I would like the words of the previous speaker entered in the Journal as my own. And I would also like to add that in the event of an economic downturn, I think that this bill would provide the kind of incentives that would spur the economy and create those jobs. Not to mention it enhances our tourism product, as well provides those opportunities. I speak in strong support. Thank you."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Herkes be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Pine rose to speak in support of the measure with reservations, stating:

"With strong reservations, Mr. Speaker. Just last year they opened the Beach Walk. The President and CEO of Outrigger Hotels talked about how this is such a great time for the hotels because never before have they had so much equity to use, to play around with their money and to remodel their hotel.

"I'm just a little concerned. We have rail coming in that the City increased taxes for, that is going to provide a lot of jobs. We are talking about completely redoing the UH System and that will stimulate jobs as well. Now we're talking about giving tax credits to big business. At a time when some of our taxes and fees, especially at the City and County level, we have the highest rates for just regular people. I'm just concerned the emphasis this Session is giving big tax breaks to big business, and very little tax breaks to the regular person in Hawaii."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. My concern is that I believe the 15 percent tax credit is too generous. I believe that when the Outrigger did all those renovations in Waikiki, I think for some of the years it was a four percent tax credit, and then it was a 10 percent tax credit. They were happy to have that. As the Representative from Ewa said, many of these hotels have a lot of equity. They have a lot of borrowing power. Every time we give a tax credit, we are taking money. We are assuring that less money goes into our treasury. I think we have quite a few projects going as the Representative from Ewa said, and I think we should take another look at this."

Representative Herkes rose to respond, stating:

"To be clear. Our equity in hotels came from the conversion of hotels rooms to condos and timeshares at the cost of taxes and employment opportunities."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I am standing in strong support. Mr. Speaker, we've talked about giving tax credits for big business. The purpose of this bill is to use fiscal policymaking to be counter-cyclical to a possible recession.

"Mr. Speaker, if you look at the numbers, and the projections of the potential visitors coming from the US East, as well as our Japan neighbors, the number could be flat or in decline. The goal of this bill is to increase actual spending when the economy is struggling. Allowing enough time for companies to obtain permits and maintain our labor pool with people working during time with a potential recession. This bill, if you look at it, requires foresight and planning.

"The concept behind this is one in which I looked at the cycles of our economy. Looking at the current infrastructure and inventory that are struggling in Hawaii. This bill was drafted with the sole concern that we may enter recession.

"Mr. Speaker, our future, our laborers, our workers should be our primary concern. Typically during a recession period, and for our edification, is signified by two consecutive quarters of decline by our Gross Domestic Product. Members, our GDP is defined as equaling as private consumption plus investment, plus public spending, plus a change in inventories, as well as adding exports minus imports. This bill was an attempt to look at all stimulus factors involving or impacting our tourism industry.

"Mr. Speaker, keeping our workers working is the thing we need to plan for the future. If you do the research and you look at the business cycles, it's estimated that prior to 1945, business cycles lasted 21 months. Currently, after World War II, they average 11 months. Some predict that the current recession pending us will last five years, Mr. Speaker. This bill allows a tax credit to be accessed six years from now. And this is the purpose.

"If you look at and talk with industry leaders and developers, many say it takes a minimum of six years from planning a concept to actual development. Colleagues, what I want you to imagine and look at is the fact that we are planning and allowing private industry to plan renovations, giving them an option to use potential revenues from this cost savings of this tax credit to continue or add additional projects within the hotel, keeping our labor pool working, which will in turn use this income as disposable income, putting back into our economy, buying products from our stores and keeping our inventory moving.

"Mr. Speaker, this is an attempt to make sure we prepare, not two years out, but six years out. Thank you."

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. In opposition. I am reminded that politics make strange bedfellows on this one. Very interesting.

"As a general principle, I do appreciate the comments made by the previous speaker about looking long term. But as a general principle, we should extend tax credits, abatments, subsidies, holidays and all the rest of it, and when it is strategic, it is an overall goal in mind. I don't quite see it in this bill. I realize it's a work in progress and we will obviously see how it progresses during the Session. Who knows what my support will be at the end of Session.

"My concern is that I don't get the big picture. I don't see how giving the tax credit to a specific industry fits the overall goal of our State economy. We could easily give that to homeowners' renovations. We could give that to any other types of industry, but not just the hotel industry.

"Secondly, the measure doesn't have any conditions for this tax credit. That was my opposition to the previous tax credit we gave to the development out at Ko Olina. A hotel could hire people at minimum wage, whereby actually driving down the construction industry, when in fact the point should be to employ people at good jobs and fair wages.

"And I also believe that the whole issue of tax credits, I believe should be looked at it in a comprehensive way rather than piecemeal, fragmented and certainly benefitting one industry over another. Thank you, Mr. Speaker."

Representative Thielen rose in opposition to the measure and asked that the remarks of Representative Takumi be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support of this measure. Mr. Speaker, I remember when I first got elected, I met with Doc Kelley to talk to him about putting in a tax credit bill for hotel renovation. He said that with the credits that were being proposed at that time, about four years ago, Outrigger instead of doing condo hotels and timeshares would have done hotels which would have generated a lot more jobs in the hotel industry and helped people find jobs in our State. Long-term, good paying jobs, union jobs. Those jobs have disappeared and the industry has gone in the direction, as we've read about in the paper, of condo hotels and timeshares, meaning less people employed.

"The other point Mr. Speaker, is that our tourism has to compete on an international level. And we are watching more and more tourists being sucked away to Asia, places like Thailand, to Australia, Europe, to Africa, to South America, as it should do if they are competing strongly in an international market. We need to compete. We need to rehabilitate our infrastructure. We need to upgrade our hotels or we are going to fall further behind.

"Tourism, whether you like it or not, is our number one employer in our State. It is the number one economic driver in our State. We need to play to our strengths. We need to remain strong, and that means upgrading our hotel infrastructure throughout our State. This bill is a good bill on many levels. I hope people will support it. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I must say I agree with both of the Majority Leader and both Chairs of Tourism and Consumer Protection & Commerce. I'll back-up the Majority Leader when he spoke about the Outrigger. My understanding is also that they would have built hotels instead of timeshares. Timeshares are more doable, but our hotel guests had to spend more money per day than timeshare guests. We do need those dollars.

"I've always favored a tax credit to help out the aging Waikiki hotel infrastructure. I opposed the $75 million tax credit that would have gone to one resort, Ko Olina on Oahu. But we need more hotel rooms in the Waikiki area because the Convention Center is dependant on these guests. There are some conventions that are too large for the number of hotel rooms that we have in this area.

"So I would strongly urge that we look at expanding our tourism industry, and we all want that. But you notice there are very few new hotel rooms that are being built in Waikiki. So I urge you to look at this bill favorably. Perhaps 15 percent is too much, but definitely, whatever you could do to help the developers of hotel rooms would be appreciated. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support. We've had a lot of great debate on this subject. There are probably a lot of good reasons not to support a tax credit. In this situation, I support it for a couple of main points.

"One, that we do have a lot of hotels being taken out of service. And the simple fact, in addition, is that although beachfront properties can command high room rates, properties that are not beachfront can't. And they may need help if they are going to be developed.

"In addition, I would add that we may want to look into further property development of Kuhio Avenue because this is where a lot of new growth will take place that will need measures like this to stay competitive. Like the Majority Leader mentioned, Hawaii on a State level must compete with countries on an international level for tourism dollars. I think that this is a step in the right direction to preserve our hotels and keep our timeshares in check. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Could I have the words of the Representative from Waialae entered as if they were my own? And just briefly, I had some conversations this summer with several large groups that were doing conventions on the mainland. I asked, 'Why don't you come to Hawaii to do a convention here?' They said, 'You don't have enough hotel rooms for us.'

"This is a real problem. We are losing business. And this is a free-market approach to stimulate more hotel construction. And you want to know why TVRs are such a big issue? No hotel rooms. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2985, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 41 ayes to 7 noes, with Representatives Belatti, Berg, Meyer, Morita, Takumi, Thielen and Wakai voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 914-08) recommending that H.B. No. 2807, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2807, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"I rise in strong opposition to Stand. Com. No. 914-08. There's much that is problematic with this bill. I would like to focus on a provision that allows land owners to satisfy State or county affordable housing assessments in the urban district by providing affordable housing in the rural district.

"The policy of inclusionary zoning or establishing affordable housing requirements for market price developments in the urban district serves to increase the affordable housing stock within a specific community. Inclusionary zoning is not simply about satisfying the Statewide need for affordable housing. It is about the need for affordable housing in a specific location. By allowing developers to fulfill these requirements away from the urban core, this bill directly subverts remedies already in place that work to create more affordable housing where it is needed.

"There is no other area in my mind that represents the urban core more than the Kakaako District. Kakaako is a stone's throw away from two major job centers in our State: Downtown Honolulu and Waikiki. It was heartbreaking to hear an argument, events in a Finance hearing, that this district is best used by developing for rich, outside buyers and that, "Poor people would be better accommodated outside of Kakaako". My question is: better for who? This argument was made in support of a provision that would allow developers to move more affordable housing requirements out of Kakaako and away from market-price housing developments.

"What frightens me about his argument is the implicit understanding that poor people in this scenario are local working people. Middle class folks who are struggling to make ends meet in hopes of buying a home, wheather it is a home in the sky or a house with a backyard. Many of us came to this Legislature as champions for the middle class, fighting for working people. I feel that this measure of expediting rural and urban development at the expense of affordable housing in the urban core hurts Hawaii's middle class by placing middle income, middle class workers, people who are

firefighters, nurses, teachers and policemen away from job and transportation centers. For this reason I am in strong opposition of this measure. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support of this bill. I think the previous speaker misses the point of this bill. This bill deals with the important agricultural lands that lie throughout our State, mainly on the Neighbor Islands. This bill doesn't deal with Kakaako. This bill deals with agricultural lands.

"And workforce housing. Anyone who represents a Neighbor Island district of which neither I nor the previous speaker, nor any of the other Representatives in urban Honolulu represent, they understand, the incredible crisis that these people are facing today. These are middle class, hard working people who don't have housing in the district that they live in. They have to drive over to Kona to find a job, or to Waikaloa. This deals with that issue. It deals with a lot more, but it deals with this issue.

"It's incentivizing private owners to dedicate in perpetuity, 80 percent of their ag lands forever. That's what perpetuity means. In our short lifetimes, many of the peoples of this House, we've watched our ag lands get morgaged away, piecemeal by piecemeal. I can think as a little kid driving in from Waipahu to Liberty House in Downtown Honolulu, and seeing sugar cane growing in Aiea. Now it's housing. That may not be a bad thing, but how much more of our ag land do we let disappear under the current system.

"We have been delegated under the last ConCon of which many people here want to do another ConCon, to deal with the important ag land issue. We're dealing with it here. And were trying to address other issues along the way.

"People should support this bill for that reason. And if you step back Members, this Session, you look at the types of bills we're supporting, it's becoming pretty incredible in terms of the different land bills that we are passing, whether it be ceded lands, whether it be ag to energy, whether it be preserving ag lands, and so many other pieces of legislation. We're trying to focus on preserving what's best about our State and our lands. And instead of letting the perfect get in the way of the good, we should support this bill and we should support the other important ag land bills, and commend those who worked long and hard on it, and make it a legacy for this Session. Thank you, Mr. Speaker."

Representative Karamatsu rose to speak in support of the measure, stating:

"In support. This bill, when the landowner designates 80 percent of their land to IAL, and 20 percent is going to urban renewal, what we are trying to do with the rural statue is support agriculture.

"If we look at it, we have agri-business activities. We include farm worker housing, and we include affordable housing. How will our workers be able to work and live in the same area if the area has million dollar homes? That's what we are trying to do, to create an environment that's supportive of the industry in the rural area.

"As far as the Kakaako issue, that's a separate bill. We're trying to increase the affordable units in those areas. So again, I just want to emphasize that this bill is a comprehensive bill. We are looking at protecting IAL, but at the same time we are trying to include infrastructure that supports the farmers that will be farming the IAL and their employees. Mr. Speaker, may I also have written comments in support?"

Representative Karamatsu's written remarks are as follows:

"I rise in support. The purpose of this bill is to provide incentives for landowners to designate their lands as important agricultural lands (IALs). First, we are allowing a landowner, who has been granted a declaratory order from the Land Use Commission to designate all or some of the landowner's land as important agricultural land, to fulfill a State or county affordable housing assessment by providing affordable housing in lands zoned as rural in lieu of satisfying the assessment in the urban district. "Rural districts" was amended to include agribusiness activities, including horticulture, apiculture, aquaculture, plant nurseries, and the raising and keeping of livestock; farm worker housing; and affordable housing.

"Second, we are revising the landowner petition process for important agricultural land designation by specifying that a farmer or landowner may petition the Land Use Commission for declaratory order to designate lands as important agricultural lands in perpetuity. Farmers or landowners that petition the Land Use Commission for declaratory order to designate lands as important agricultural lands in perpetuity are allowed to seek, in the same petition, a reclassification of land from the agricultural district to the rural district, urban district, or a combination of both, under certain conditions.

"Specifically, under Hawaii Revised Statutes Section 205-45(b), the petitioner may seek a reclassification of land in the agricultural district to the rural district, urban district, or a combination of both; provided that the:

1. Land sought to be reclassified to the rural or urban district is within the same county as the land sought to be designated as important agricultural lands;

2. Reclassification of the land to the rural or urban district is consistent with the relevant county general, development, and community plans; and

3. Total acreage of the land sought to be designated or reclassified in the petition complies with the following proportions:

   a. At least eighty per cent of the total acreage is sought to be designated as important agricultural land; and

   b. The remainder of the acreage is sought to be reclassified to the rural or urban district.

"In a petition for a declaratory order submitted under Hawaii Revised Statutes Section 205-45 that seeks to both designate lands as important agricultural lands and reclassify lands in the agricultural district to the rural or urban district, the lands shall be deemed qualified for designation as important agricultural land if the Land Use Commission reasonably finds that the lands meet at least the criteria of subsection (c)(4), (6), and (8) of this section described below:

1. Hawaii Revised Statutes Section 205-44(c)(4): Land with soil classified by the land study bureau's detailed land classification as overall (master) productivity rating Class A or B; or Class C or D if the land is currently in agricultural production or could be put into productive agricultural use with the implementation of new technology or development of irrigation water;

2. Hawaii Revised Statutes Section 205-44(c)(6): Land with sufficient quantities of water to support viable agricultural production; and

3. Hawaii Revised Statutes Section 205-44(c)(8): Land that contributes to maintaining a critical land mass important to agricultural operating productivity.

"The criteria in identifying important agricultural lands was tightened up for this specific petition for a declaratory order because we wanted to make sure that the agricultural lands being petitioned to be designated as important agricultural lands are good for agricultural productivity in exchange for the agricultural lands being petitioned to be reclassified to the rural or urban district. Thank you."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition on this bill and request we change our language and not consider we are not dealing with land, but actually we are looking at how to address the issues of our communities.

"I oppose this bill for the following reasons. And I wish to, after I read a little bit, to enter comments into the Journal. The concept of packaging a designation of important ag lands which is 80 percent with a reclassification of other lands, 20 percent, of the same land owner to urban or rural district is a distorted way to promote either rational whole use planning or the protection of agriculture. While the packaging is supposed to be consistent with land use plans, there is a basic flaw in presuming that affordable housing belongs on land that is currently classified for the ag district. This notion completely ignores the fact that the State Office of Planning recently found that there are tens of thousands of acres of land already classified urban that are available for housing development.

"Disguising attempts to expedite land development for luxury residential subdivision by coupling it with a designation of IAL is neither logical nor wise. It would disregard and undermine the real attempts that are being made right now, of the agricultural attempts of small farms, by ignoring the externalities of allowing reclassification of ag lands with no serious thought of consequences.

"I know we are all deeply concerned about being able to provide the right guidance for our State, but many of the standards and permissible use in the rural district without greater community input is also an invitation to greater social conflicts and expensive litigation in the future. I request to add more comments to the Journal. Thank you."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I rise in opposition of HB 2807. The concept of packaging a designation of Important Agricultural Lands (80%) with a reclassification of other lands (20%) of the same landowner to Urban or Rural District is a distorted way to promote either rational land use planning or protection of agriculture. While the packaging is supposed to be consistent with land use plans, there is a basic flaw in presuming that affordable housing belongs on land currently classified for the Ag District. This notion completely ignores the fact that the State Office of Planning recently found that there are tens of thousands of acres of land already classified Urban that are available for housing development.

"The coupling of 20% of one's land for reclassification to Urban or Rural with the designation of important agricultural land is no more than a gift to speculative investments in what will likely be luxury residential housing and urban or suburban sprawl across this State. It will literally open up the floodgates for more of the same kind of agricultural subdivisions proliferating across the State already, but this time without violating permissible uses in the Ag District. At the very least, it is a transparent attempt to transform an important exercise (identify IAL) with unlocking the door that is supposed to put a cap on urban sprawl and land speculation that ultimately kills off agriculture.

"Furthermore, by exempting this process from the provisions of HRS sec. 205-4, this process will bypass any procedural protections available to communities opposed to this kind of bad development by stripping interested parties of the right to a contested case hearing under HRS chapter 91. This procedure has been the only obstacle to unmitigated devastation of rural communities throughout the State, where money and power will override any rational land use planning or protection of agricultural activities and land. This is one reason alone to kill this bill.

"Disguising attempts to expedite land development for luxury residential subdivisions by coupling it with the designation of IAL is neither logical nor wise. It would disregard and undermine real attempts at sustaining small farms by ignoring externalities of allowing reclassifications of agricultural land with no serious thought of the consequences. Amending the standards and permissible uses in the Rural District without greater community input is also an invitation to greater social conflicts and expensive litigation in the future.

"The only rational approach is to defer all the ad hoc legislation being thrown at the public under the disguise of identifying important ag lands, and invest in a facilitated community-based discussion amongst all important stakeholders in the agricultural and rural sectors to come up with a consensus approach to amending the standards and permissible uses in the Rural District, which will be the key buffer between incompatible Urban land uses and true farming on Ag District lands. That investment will reap more harmony and less conflict in future deliberations over land use in Hawai`i. The failure of the counties to perform this function under Act 205 (SLH 2005) signaled the start of the confusion and ad hoc proposals now being made 3 years later.

"I therefore urge my colleagues to vote against this bill. Thank you."

Representative Tsuji rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. The purpose of the bill is to provide incentives for landowners to designate their lands as important ag lands. A lot of landowners have been granted a declaratory order for the Land Use Commission to designate all or some of the land owner's land as IAL to fulfill the State or county affordable housing assessment by providing affordable housing on land zoned as rural to those satisfying the assessment in the urban district.

"And revising the landowner petition process for IAL designation by one, specifying that a farmer landowner may petition the LUC for declaratory order to designate land as IAL in perpetuity. And also allowing farmers or landowners that petition the LUC for declaratory order to designate land in IAL in perpetuity to seek in that same petition, a reclassification of land from agriculture to rural district, urban district, or a combination of both under certain conditions.

"In addition to offering landowners incentives to designate lands to IAL, these provisions will also provide an opportunity for enhanced usages that are appropriate for rural and designated areas. We envision that this provision represents a significant incentive that will encourage landowners to voluntarily designate the lands into IAL. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"In support with slight reservations. Thank you. First of all, I want to applaud the Chair of Agriculture for being very creative because I think this is definitely an incentive.

"Just a comment on my slight reservation and that is, on the Big Island, they're doing affordable housing projects and what we are finding in the community is that it really isn't affordable. The main reason is that the cost of putting in the roads, the infrastructure, the sewage treatment, the water, the electrical, the lighting on the streets, it is so expensive that in the end, when they put it out as affordable what we've found is it's really middle income. It won't be low income homes that will be affordable to live there. So I have some concerns.

"The other thing is we just passed the 2050 Sustainability Plan and I believe that one of the things we are looking at is having these affordable housing projects close to the urban core so that they have access to mass transit, good public schools, park systems, and

support services for families. So I have some concerns that what might happen is you'll see these affordable housing projects on potentially marginal land a bit of a distance away from services. And so I'm wondering if we're really serving the affordable housing community. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, thank you. Just briefly, I rise in opposition of this bill. Just like the other bills I've read that have been introduced, they sound good, but I'm not comfortable with this. I know the word, in perpetuity, in this Chamber doesn't mean much to me. I know that we have a law that we, one Legislature, can not bind another. We might be voting for that bill today, that this important ag lands will be in perpetuity except for the 20 percent. What I don't know is, two years, or three years from now, what other set of legislators will be here and change all that for me.

"The other thing is that we want to build affordable homes. What is the definition for affordable homes? It's up to $140,000 income per family of four. We all qualify for that Mr. Speaker. Thank you."

Representative Shimabukuro rose to speak in support of the measure with reservations, stating:

"In support, with some reservations. The only comment I want to make was that I really do think that it's great that the ag lands are going to be maintained in perpetuity. I would just like to see if we could encourage with the future drafts of the bill, that we also include the affordable housing component, that they are offered in perpetuity."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2807, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Belatti, Berg, Cabanilla, Carroll, Lee, Luke, Morita and Thielen voting no, and with Representatives Nakasone, Souki and Takai being excused.

At 2:17 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2211
H.B. No. 2357, HD 1
H.B. No. 3177, HD 1
H.B. No. 2739, HD 1
H.B. No. 2860, HD 2
H.B. No. 2972, HD 1
H.B. No. 2985, HD 1
H.B. No. 2807, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 917-08) recommending that H.B. No. 3064, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3064, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On SCR 917-08, I am with reservations. Basically, the HD 1 allows a taxpayer with an Adjusted Gross Income of $20,000 or less, to take a refundable tax credit for the purchase and installing of a renewable energy technology which includes solar water heating, photovoltaic and wind systems. And $20,000 of Adjusted Gross Income is not very high at all. So my reservation is just that when looking at someone who makes under $20,000 in Adjusted Gross Income, can they even afford to do this technology and how beneficial would it be? Thank you."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this measure.

"HB 3064 is unworkable. It will allow a taxpayer with an adjusted gross income of $20,000 or less to take a refundable tax credit for the purchase and installation of a renewable energy technology. I don't believe this bill will achieve the goal it has set out to do. First, many people who have an adjusted gross income of $20,000 or less will probably not take advantage of the tax credit. Many people who are in this income bracket are living paycheck to paycheck and will not be able to afford to purchase renewable energy technology equipment for their homes.

"Secondly, according to testimony by the Department of Taxation, they predict that there will be a revenue loss of $41,000 in the next fiscal year if this bill passes. That low level of revenue loss predicts that very few people will avail themselves of this opportunity to receive a tax credit.

"We should look into a low interest loan program to help our citizens with installing renewable energy technology. A program with no-interest or low-interest loans would be far more effective. The State could provide the capital to acquire these devices and the taxpayer could receive a discount of 30% provided by the federal tax credit. The amount of the State loan could then be amortized by the energy savings realized by the taxpayer."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3064, HD 2, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 919-08) recommending that H.B. No. 602, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 602, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"On Stand. Com. Rep. No. 919 dealing with the State Education Facilities Improvement Special Fund, I am in opposition. This bill removes the sunset in June 2008. We call it the SEFI Fund. The State Education Facility Improvement Fund was created more than a decade ago when the State was flushed with cash surpluses. However when the economy went down, the lawmakers took back the GET revenues and replaced the funding source with the proceeds of bond sales. The level of earmarking at that time was $90 million. When pressed for an estimate of how much the DOE could reasonably undertake in the construction of facilities, it was discovered the DOE could only handle about $45 million in projects in any given year. The level of earmarking was thus reduced to $45 million in 1999. Then it increased to $90 million in 2006.

"Mr. Speaker, rather than perpetuating this practice of earmarking tax revenues or bond proceeds, lawmakers should repeal the special funds of the earmarking for this purpose. This would force the DOE to explain why they are not capable of delivering badly needed school facilities on a timely basis. This type of special fund financing is a departure from sound fiscal policy. Special funds are appropriate for the revenue of funds to maintain some direct connection between a public service and a beneficiary of that service. Special funds that merely set aside general funds cannot be justified. This is about the exact same as the bill we voted on earlier today which would funnel off tax revenues directly to a special fund for the University of Hawaii. The SEFI Fund does the same thing for the benefit of the DOE. But that money no longer shows up on the financial statement as revenue because it never reaches the State treasury.

"In February 1991, the State Auditor issued a report that found that the Fund should be repealed and that educational facilities should be funded through the normal CIP appropriation process. We as lawmakers should repeal the automatic funding mechanism and make the administrators justify their expenditures for their construction of education facilities or explain their inability to do so. This would force the Board of Education and the Department of Education to deliver repairs on a timely basis or explain why they could not do the necessary repairs and maintenance. With the automatic earmarking Mr. Speaker, there is no reason to return each year to the Legislature and be held accountable for the lack of action. For those reasons I feel that I must vote no on this issue."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like to speak in opposition and just insert short written comments. Thank you. And just some short comments. I spoke earlier on a similar bill on a method of funneling money away into a special account, a special fund and my written comments will be in regards to the transparency to the people of Hawaii. Thank you."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition of H.B. 602, H.D. 2 that repeals the sunset date for Act 304. The Department of Education is having difficulty managing its current $2.3 billion budget and a management audit by the Legislature must be passed in order to hold the Department accountable.

"Testimony has been submitted opposing this bill stating that, “The Commission found that special funds which merely set aside general funds cannot be justified as such actions restrict budget flexibility, create inefficiencies, and lessen accountability.” The Commission being referenced in the last statement refers to the Tax Review Commission. Earmarking tax revenues or bond proceeds and taking revenue from the general revenue fund limits the ability to fund according to priorities and eliminates transparency.

"Georgina Kawamura, Director, Department of Budget and Finance testified in opposition to this bill stating, “Any proposal to provide mandatory revenue diversion of funds limits the State’s ability to fund priorities and could negatively impact the State’s general fund financial plan.” For these reasons Mr. Speaker, I oppose this bill. Thank you Mr. Speaker."

Representative Har rose to speak in support of the measure, stating:

"In strong support, Mr. Speaker. For the edification of the Representative from Laie, as well as the Minority Leader, they seem to miss the point on the SEFI Fund. What this Fund does is create a private/public partnership via a subaccount. The subaccount essentially allows developers the ability to come in and build schools for those of us in districts that are struggling to find the money to build schools expeditiously.

"For the previous speakers to think that this is just funneling off money is absolutely ridiculous, and they clearly do not understand the point of this special fund. It's not about earmarking funds. It's about giving private developers the ability to build schools in partnership with the State, and essentially that is what we need for some of us in district where we can't build schools fast enough. For those reasons Mr. Speaker, I rise in strong support. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. Just a brief rebuttal. In this Committee Report and in this Bill, it says nothing about private/public partnership. The DOE can do that. This money is absolutely in this fund. It's taken straight off. As the tax comes in, it goes into the SEFI Fund. They don't have to lapse it if they didn't spend it all. G.O. bonds go into the same Fund. As I've said, this was started long ago. It is used for new schools. It is used for capital improvements. It is used for repairs. But it has nothing having to do with private/public partnerships. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Just short comments. When it comes to building facilities, I don't think anyone, for areas such as Kapolei, I agree that the need for schools in the areas such as those in Mililani where they have multi-track type schools. That's not a good education system in my opinion. We shouldn't make the parents, teachers and kids go through that sort of situation.

"The problem that I have is the method in which we are doing it. And that's all it is. The method in which we are putting this money aside, not being transparent to the taxpayers of Hawaii. Another bill that does a better job I think, for those areas in which they need schools is the Facilities Realignment bill that is somewhere in here or passed already. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. First of all, one point that needs to be made is that transparency is easily obtained by simply logging on to the DOE website, and there you can click onto, I think through the Superintendant's Office, the actual listing of projects that will be undertaken and these endeavors. So there is transparency just by clicking on, or just picking up the phone and calling. If people want more specific information, they can come to my office this afternoon and I'll give them a printout of these projects.

"Just for clarification, there is about $3 million in deferred maintenance backlog in the DOE system, statewide. They need about $75 million a year to stay afloat. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 602, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 921-08) recommending that H.B. No. 2792, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2792, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 922-08) recommending that H.B. No. 2076, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2076, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DEPLETED URANIUM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 924-08) recommending that H.B. No. 2323, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2323, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Herkes rose to speak in opposition to the measure, stating:

"In opposition. I don't have a problem with cleaning the beaches. My problem is with funding source. And may I have written comments?"

Representative Herkes' written remarks are as follows:

"Mr. Speaker, I am in opposition to this bill.

"Mr. Speaker, it is not that I am anti-beach or anti-beach restoration. My concern is the funding source.

"The Hawaii accommodations tax, or 'room tax', was established for the purpose of promoting tourism. Every year, attempts are made to 'raid' this Fund.

"When this 'room tax' was being considered by the Legislature, I advised my colleagues in the visitor industry that I would vote for it if they wished, but warned them that they could not count on past, present or future legislators to keep the commitment made to the industry that this Fund was to be used for visitor promotion and only visitor promotion.

"I cast my no vote as a matter of principle. Thank you, Mr. Speaker."

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need to get a ruling on a possible conflict of interest. One of my wife's clients is Kyo-ya Hotels who supports and is likely to benefit from this legislation. Thank you," and the Chair ruled, "no conflict."

Representative Bertram rose to speak in opposition to the measure, stating:

"I will be voting against this mainly because there was quite a live reef off of Waikiki. In fact, it was right off the shore before they started doing beach nourishment and all that sand went over and smothered that reef completely. So until they come up with a better way of nourishing these beaches without destroying reefs, especially with this being the Year of the Reef, I can't support something like this. Thank you."

Representative Marumoto rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"For whatever reason, many of our beaches are shrinking, eroding or shifting. The beach in front of the Sheraton Waikiki is one of those fast disappearing. Kuhio Beach is the most important beach in Hawai'i and is critical to our economy. While other resort destinations around the world have miles and miles of wide sandy beaches, our little beach in Waikiki is "manini". It needs fixing.

"This bill will provide a one-time infusion of maybe $2 million (the figures are blanked out) matched by private funds for a total of maybe $4 million to restore "resort beaches" – areas in front of hotels. The $2 million comes primarily from the Hawaii Tourism Authority and the Tourism Accommodation Tax (TAT), and some of the money may come from the general fund (GF). In addition, the private matching funds, up to $2 million, will be put up by the adjacent hotels.

"Most of these funds are "hotel" money. The TAT is the hotel room tax, and does not come from tour buses, nor bars, restaurants or shops or lei stands – just hotels. So the bulk of the funds needed for this resort hotel beach restoration bill is derived from hotels. I mention this because detractors think that State funds should not be used for a beach that will primarily benefit the adjacent hotel.

"I remind these detractors that beaches in Hawaii are public and open to all. This is another good reason why I'm supporting this measure."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill would establish within the Beach Restoration Special Fund, a sub-account to be known as the Resort Beach Restoration Fund to be administered by the Department of Land and Natural Resources (department), into which shall be deposited general funds appropriated by the Legislature and revenues from the Tourism Special Fund, which receives moneys from the Transient Accommodations Tax prescribed by section 237D-6.5(b)(2)(C) of the Hawaii Revised Statutes provided that:

1. No funds shall be released for expenditure from the Resort Beach restoration Fund unless matched by non-State funds on at least a one-to-one basis; and

2. No funds shall be released for expenditure from the Resort Beach Restoration Fund unless at least fifty per cent of the funds released are funds transferred from the Tourism Special Fund pursuant to section 237D-6.5(b)(2)(C).

"Moneys in the Resort Beach Restoration Fund shall be used to provide for the development and restoration of visitor area resort beaches, including maintenance of any improvements placed on the visitor area resort beach or in the nearshore waters, as determined by the Department, including debt service on any capital expenditures projects and the contracting for services for those purposes.

"The Resort Beach Restoration Fund is a creative way to get matching funds from the private sector that have a vested interest in restoring beaches fronting or near their resort hotels or tourist destinations. Importantly, the residents of the State of Hawai'i will also get to enjoy restored beaches with their family and friends. Thank you."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker I stand in support of Stand. Comm. Report No. 924, HB 232, Relating to Beaches.

"Beaches are an integral part of Hawaii's coastal infrastructure. The natural resources and beauty of our beach areas are responsible for a significant amount of public recreation and commercial activity. In fact, our beaches are the number one destination for Hawaii's tourists.

"This bill before us takes the vital step in the pursuit of beach restoration. This measure will support efforts to manage, improve, and protect Hawaii's beaches, which will benefit both the visitor industry and our residents.

"Industry experts provide that restoration of Waikiki Beach could improve the satisfaction rating of tourists, translating to more return visits and millions of dollars in potential revenue.

"The key to this progressive measure for beach restoration – is using a combination of public and private funds.

"It is important to note that "no funds shall be released for expenditure from the resort beach restoration fund unless matched by non-state funds on at least one-to-one basis (calls for at least fifty percent of the funds released to be funds transferred from the tourism special find)."

"This bill also states "visitor area resort beaches" means sandy resort beaches that provide access, including but not limited to: Gray's beach, located in Waikiki on the island of Oahu; and Kaanapali beach located on the island of Maui.

"It's time to take a proactive approach to restore Hawaii's beaches. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2323, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BEACHES," passed Third Reading by a vote of 43 ayes to 5 noes, with Representatives Belatti, Berg, Bertram, Carroll and Herkes voting no, and with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 925-08) recommending that H.B. No. 2373, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2373, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Yamane rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamane's written remarks are as follows:

"This bill, regarding the Mookini Heiau in North Kohala, is all about protecting this precious area for future generations and their children.

"This Hawaiian sacred site was where Kamehameha the Great received his blessing and Birthrights in 1758. This is not just another State park, but one rooted in the history of our Native Hawaiians.

"Ms. Leimomi Mookini Lum (a Kahuna Nui) a direct descendent of Kahuna Nui Kuamoo Lookini, has dedicated this area to the children of the world.

"It is important that we protect this 2.915 acre monument with a small appropriation to make this site green.

"Imagine our children visiting this site, seeing brown withered grass over a breathtaking and inspirational view.

"Mr. Speaker, this small appropriation will benefit the children of today, be appreciated generations into our future and show our ancestors that we respect and honor where we came from.

"Mr. Speaker, your Committee on Tourism and Culture reveres and honors what is culturally important to this great State. This appropriation is a small way of honoring our culture."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in support. May I have the written comments of the Chair of Tourism entered into the record as if they were my own?" and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2373, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR MOOKINI HEIAU," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 931-08) recommending that H.B. No. 2662, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2662, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise with reservations on House Bill 2662, H.D. 2 – Relating to Affordable Housing. As noted by my earlier comments on House Bill 2807 and the importance of enforcing affordable housing requirements, I am deeply concerned that this bill exempts developments from State affordable housing requirements. As noted in the City and County of Honolulu, Department of Community Services' testimony in opposition to this measure, the Department stated that '[o]ther housing projects built without government assistance but utilizing the exemption provisions [of HRS Chapter 201H] have complied with the existing affordability requirements.' In light of the lack of affordable housing available to our local residents, I am not sure allowing an exemption from affordable housing requirements is the right approach to follow."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This bill encourages public/private partnerships to create affordable housing. This measure provides exemptions to the buy-back provisions and shared depreciation equity. It does limit it to only projects where it's solely on private land and does not have any government financing or subsidies. So hopefully it would accomplish the goal and encourage the private sector to be involved, but it is open for more discussion. Thank you."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2662, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Sonson voting no, and with Representatives Nakasone, Souki and Takai being excused.

At 2:29 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:34 o'clock p.m.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 934-08) recommending that H.B. No. 2583, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2583, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Souki and Takai being excused.

At 2:35 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3064, HD 2
H.B. No. 602, HD 2
H.B. No. 2792, HD 2
H.B. No. 2076, HD 1
H.B. No. 2323, HD 2
H.B. No. 2373, HD 1
H.B. No. 2662, HD 2
H.B. No. 2583, HD 2

At 2:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:09 o'clock p.m.

At this time, the Chair announced:

"Members, the Chair would like to take action on Standing Committee Report No. 947-08 that was placed at the end of the calendar earlier in the day. We will be taking action now."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 947-08) recommending that H.B. No. 3367, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3367, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

At 3:10 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:11 o'clock p.m.

At this time, Representative Finnegan offered Floor Amendment No. 1, amending H.B. No. 3367, HD 2, as follows:

SECTION 1. House Bill No. 3367, House Draft 2, is amended by is amended by [*sic*] deleting its contents and replacing it with the following language, to read as follows:

"SECTION 1. The legislature finds that despite clear restrictions on expenditures imposed by chapter 138, Hawaii Revised Statutes, and no enabling legislation being passed to authorize such actions, the wireless enhanced 911 board reported in a fiscal year 2007 report that it intends to expend the balance of the wireless enhanced 911 fund ($20,157,156.50 as of December 31, 2007) for projects to expand coverage in rural areas and in-building coverage, and other future technologies not yet identified by the wireless community. Also stated in the report was the board's intention to spend $1,385,000 to retain a consultant to manage the improvement of wireless coverage within public buildings.

The fiscal year 2007 report is deficient in not providing a progress report on each public safety answering point, wireless service provider, and wireline provider, although it does report that the State moved from 14.8 per cent to 89.8 per cent deployment of wireless enhanced 911 service. That being the case and there being a $15,000,000 gap between the current fund balance and the proposed fiscal year 2008 expenditures, the legislature finds that it would appear the fund contains far in excess of the funds the board needs and that the surcharge should be reduced.

The legislature further finds that the wireless enhanced 911 board's administration of the wireless enhanced 911 fund has preempted both the department of health's statutory mandate to assist each county in the development of a 911 emergency telephone system and the county council's role in determining whether provision of wireless enhanced 911 services is a budget priority within their respective jurisdictions.

The purpose of this Act is to:

(1) Reduce the wireless enhanced 911 surcharge to 43 cents;

(2) Provide that funds expended from the wireless enhanced 911 fund for reimbursement of capital costs shall supplement, but not supplant, funds regularly appropriated by the counties;

(3) Require the wireless enhanced 911 board to annualy present a plan to the legislature prior to each regular legislative session that:

(A) Specifies a surcharge no greater than is necessary to meet its expenses and planned expenditures; and

(B) Proposes to refund surplus surcharge funds;

and

(4) Require the Auditor to conduct a financial and management audit of the wireless enhanced 911 fund."

SECTION 2. Section 138-4, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) A monthly wireless enhanced 911 surcharge, subject to this chapter, [~~shall~~] <u>may</u> be imposed upon each commercial mobile radio service connection.

(b) [~~The effective date of the surcharge shall be July 1, 2004.~~] The rate of the surcharge shall be set at [~~66~~] <u>43</u> cents per month for each commercial mobile radio service connection. The surcharge shall have uniform application and shall be imposed on each commercial mobile radio service connection operating within the [~~State~~] <u>state</u> except:

(1) Connections billed to federal, state, and county government entities; and

(2) Prepaid connections."

SECTION 3. Section 138-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) After January 1, 2005, every public safety answering point shall be eligible to seek reimbursement from the fund solely to pay for the reasonable costs to lease, purchase, or maintain all necessary equipment, including computer hardware, software, and database provisioning, required by the public safety answering point to provide technical functionality for the wireless enhanced 911 service pursuant to the Federal Communications Commission order. <u>Reimbursements under this section shall supplement but not supplant</u>

the funds regularly appropriated for these purposes. All other expenses necessary to operate the public safety answering point, including but not limited to those expenses related to overhead, staffing, and other day-to-day operational expenses, shall continue to be paid through the general funding of the respective counties. For the purposes of this subsection, "operational expenses" include any charges for ongoing service provided by the local exchange carrier."

SECTION 4. Section 138-6, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]**§138-6**[~~]~~] **Report to the legislature.** The board shall submit an annual report to the legislature[~~,~~] no later than twenty days prior to the convening of each regular session of the legislature, beginning with the 2009 regular session, including:

(1) The total aggregate surcharge collected by the State in the last fiscal year;

(2) The amount of disbursement from the fund;

(3) The recipient of each disbursement and a description of the project for which the money was disbursed;

(4) The conditions, if any, placed by the board on disbursements from the fund;

(5) The planned expenditures from the fund in the next two fiscal [~~year;~~] years;

(6) The amount of any unexpended funds carried forward for the next fiscal year;

(7) A cost study to guide the legislature towards necessary adjustments to the fund and the monthly [~~surcharge;~~] surcharge that:

(A) Specifies the level of surcharge necessary to fund the board's expenses and planned expenditures; and

(B) Proposes to refund surcharge funds in excess of the funds necessary to fund the board's expenses and planned expenditures;
and

(8) A progress report of jurisdictional readiness for wireless E911 services, including each public safety answering [~~points,~~] point, wireless [~~providers,~~] service provider, and wireline [~~providers.~~] provider. The report shall include the status of requirements outlined in the Federal Communications Commission Order 94-102 and subsequent supporting orders related to phase I and phase II wireless 911 services."

SECTION 5. The auditor shall conduct a financial and management audit of the wireless enhanced 911 fund to address the following issues:

(1) The role the wireless enhanced 911 board should play in assisting the counties in deployment or operation of wireless enhanced 911 in light of the department of health's duties assigned pursuant to paragraph 321-224(a)(7) and 321-225(a)(6), Hawaii Revised Statutes, and the responsibility of the county councils to determine whether provision of wireless enhanced 911 services is a budget priority within their respective jurisdictions;

(2) Whether the statutory authority to reimburse the public safety answering points and the wireless service providers for costs incurred to deploy wireless enhanced 911 services includes, or should include:

(A) The ongoing cost of operating 911 call centers, including trunking line charges, answering position charges and long distance calling charges assessed by the local exchange carrier;

(B) The cost incurred for acquiring personnel services by contract that would be prohibited if acquired by hiring personnel; and

(C) The cost of equipment that may also be used to process wireline 911 calls;

(3) Whether the wireless enhanced 911 board should be expending funds from the wireless enhanced 911 fund to purchase products for use by the public safety answering points rather than reimbursing the counties for those purchases;

(4) Whether the wireless enhanced 911 fund serves the purpose for which it was created and reflects a clear link between the benefit sought and charges made upon the users or beneficiaries of the program, as opposed to serving primarily as a means to provide the program or users with an automatic means of support which is removed from the normal budget and appropriations process; and

(5) Any other issues pertinent to the audit revealed by its review of the wireless enhanced 911 board's records and interviews of its personnel.

The auditor shall submit a report to the legislature no later than twenty days prior to the convening of the 2009 regular session, containing findings and recommendations, including any proposed legislation and identifying alternative forms of funding concerning how the wireless enhanced 911 fund has been managed and the moneys in the fund are expended.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on June 29, 2008."

Representative Finnegan moved that Floor Amendment No. 1 be adopted, seconded by Representative Meyer.

Representative Finnegan rose to speak in support of the proposed floor amendment, stating:

"Thank you, Mr. Speaker. I appreciate the opportunity to take this amendment up at this time in the day to help us in regards to the 48 hour time period. So, thank you very much.

"Basically, my arguments will be short, in support of this amendment. It is to go to a HD 1 which states basically that we can reduce this surcharge, the 911 Wireless Surcharge down to 43 cents from 66 cents. And Mr. Speaker, it's very simple. It's just wanting to have the cellular users of the State of Hawaii be able to lessen their cost.

"Personally for me, anything that can help us on the level of our home finances would be helpful. We've made significant strides in regards to having 911 wireless service throughout the State that shows in reports back to the Legislature. So basically, this is just looking at ways where we can lessen the expenses on the family budget. For myself, we have about five cell phones within my household. So, maybe I should ask if I have a conflict since we own five cell phones within our household," and the Chair ruled, "no conflict."

Representative Finnegan continued, stating:

"Thank you. But Mr. Speaker, just short comments in support. I think that this will help. And the State Comptroller also said he would still be able to, within the amount of the surcharge, at the

lower amount, that he would still be able to get to the other areas in which, the remote areas in the State, be able to get service to them with the lower amount. Thank you."

Representative Herkes rose to speak in opposition to the proposed floor amendment, stating:

"Thank you. In opposition to the proposed HD 3. This is just Crossover and we have a long way to go on this bill. Let me say this. This deals with the public safety and this State's preparedness for national disaster.

"The E-911 is a two-way street in identifying where you are, if at all possible. And we should be looking at the possibility of a Reverse E-911. And that's the case in my district where huge areas are blanked out. There's no radio, no wireless, there's nothing. People that are stranded or hurt in those areas, you're not going to find them. If you take the people in Ocean View who have put together their own disaster plan, they have developed a Reverse 911. They should be looking at Reverse Wireless 911.

"The purpose of the bill is we want to put a fire under the Wireless Board. We want to make them do their job. We want an audit to come back and say, 'Why aren't you reaching out to these rural areas?' because they're not. They're not. And it's difficult for someone from Oahu to understand what these rural areas are like.

"We aren't prepared. We need to be prepared. We need to make sure that the Wireless Board gets the message. We need an audit. And before we fool around with the money, I would prefer we get them to do their job. And an audit will also tell us how much money they should get and what the rates should be. Again, I ask you to vote the proposed amendment down."

The motion that Floor Amendment No. 1, amending H.B. No. 3367, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," be adopted, was put to vote by the Chair and failed to carry with Representatives Nakasone, Sonson, Souki and Takai being excused.

(Main Motion)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3367, HD 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sonson, Souki and Takai being excused.

At 3:16 o'clock p.m., the Chair noted that H.B. No. 3367, HD 2, passed Third Reading.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 937-08) recommending that H.B. No. 937, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 937, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICAL AND PLUMBING TRADES," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 938-08) recommending that H.B. No. 2908, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2908, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report No. 938, I do have some reservations. It seems like we are asking the Auditor to do something in addition to what she already does, which she could do without us asking it.

"Many bills and resolutions ask the Auditor to do audits, and oftentimes she can't get them all done in the one year period between Sessions. This kind of looks like a 'make work' project and those are my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2908, entitled: "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 940-08) recommending that H.B. No. 2134, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2134, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to this measure. This is the bill that extends the sunset date from July 2009 to July 2010 for the deposit and disbursements of certain licensing fees in the Compliance Resolution Fund to the credit of the Center for Nursing Special Fund.

"Earlier in hearings, there were nurses that testified against this bill. They weren't here when the initial bill was passed. But these fees are charged to nurses and that's the money that goes to the University Center for Nursing. The rank-and-file nurses were against it. We heard this bill again in Finance. No nurses were there, so it was a question for me. It didn't appear that anything had been changed, but there were form letters from advanced practicing RNs, most of them in the Hawaii Health Systems Corporation.

"My personal feeling is that we still haven't heard where the rank-and-file nurses are. I did receive a notice today that the Nurses Association still opposes this bill. They did not show up at the Finance Committee because they thought it was only decision making and that they'd missed the opportunity to testify, but they are still against this bill. Thank you."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just want to state a potential conflict. I'm a licensed nurse," and the Chair ruled, "no conflict."

Representative Cabanilla rose to speak in support of the measure, stating:

"Thank you. And with that, I support the bill and I want to say that most of the nurses I've spoken to that are rank-and-file say the fee is not a big amount for them."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support of SCR 940-08. In 2003 the Legislature established the Hawaii State Center for Nursing and placed that in the School of Nursing & Dental Hygiene at the University of Hawaii at Manoa. It became operational in April 2005.

"The Center benefits nurses and lawmakers by collecting and analyzing data for our current and future status and trends of nursing workforce. I can go on for days, but I will keep this succinct. The focus of this bill and the Nursing Center is to retain nurses to address the nursing shortages.

"To address the prior speaker's concern about the Hawaii Nursing Association, Ms. Craft, the Vice President of that Association testified to your Committee on Health. The bill was first heard by Higher Education, and they repealed the sunset date from 2009 to 2014. When it was heard by your Committee on Health, the outstanding Chair of Health changed the bill to 2010. At the hearing, I talked to Ms. Craft, the Vice President that represents the Nursing Association and she said the date, if it's 2010, they are okay with it.

"We went to the Finance Committee and there was no one from the Hawaii Nursing Association that came in person to oppose this measure. And again I believe it's attributed to the fact that we did change it to 2010 and they're okay with it. For those reasons, I stand in strong support of this measure. Thank you, Mr. Speaker."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support with reservations. The mission as spoken by a previous speaker, is to collect and analyze data. My reservation is that these people, I believe, need to work themselves out of a job. They need to analyze data. They need to make recommendations, and then it needs to sunset. I just don't want to see the Center in perpetuity, analyzing how to solve the problem. I think it's up to the private sector. I'd like to see the private sector really work on this issue. Thank you, very much."

Representative Lee rose to speak in support of the measure, stating:

"I am rising in support and want to insert written comments. But I just want to comment on who was there at the Finance Committee hearing. There were quite a number of nurses, but the time went by and at the end there were only a couple of people there. But the testimony was presented by a broad cross section of people including staff nurses, people from the University, and I think of note was the former President of the Hawaii Nurses Association. I think there were a fair number of people there. So I would support this bill."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in support of this measure.

"Several years ago when the shortage of nurses was first identified as a serious problem, the information needed to address the problem was incomplete, scattered, and sometimes conflicting. As a result, decisions to increase the supply of nurses could not be made with much confidence.

"In 2003, the Legislature passed Act 198, to create the Hawaii State Center for Nursing. The Center was given the mandate to collect and analyze data, and make recommendations regarding the current status and trends of the nursing workforce; conduct research in best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze and report data related to the retention of the nursing workforce. We can see in the work that the Center for Nursing has produced that they have very ably done what was asked of them. The data and evidence collected by the Hawaii State Center for Nursing is invaluable in making workforce, policy and resource decisions. This information is well worth the costs born by the nurses in the State to support the Center.

"The Hawaii State Center for Nursing is currently affiliated with 33 other state centers for nursing that are also doing vital work on workforce development, nurse retention, supporting nursing education and access to education in nursing. The ability to share and collaborate for good data and outcomes is of great benefit to our community.

"This bill allows the Center to continue receiving funds by extending by one year the sunset date for the deposit of certain nursing fees into the Center for Nursing Special Fund. In light of an ongoing nursing shortage in the state and in the nation, it just makes good sense to continue the funding mechanism for the Center.

"I urge my colleagues to support the bill."

Representative Meyer rose to respond, stating:

"Mr. Speaker, I would like to rebut what the Vice Chair of Health just said. I spoke to Mrs. Craft's sister about this just today because I wanted to know where they stood. And she said she had spoken with her sister, and they have not changed their position. They are not in favor of this bill. Thank you."

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. Mr. Speaker, at this point, I have heard from individual nurses and they do oppose the bill. So I'm going to be voting no on it at this point. Thank you."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I just want to disclose a potential conflict. My mother is a nurse. Thank you," and the Chair ruled, "no conflict."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations with short comments. Mr. Speaker, I was ready to vote just straight up in support of the bill. But with the information from the Representative from Kahaluu, it causes me pause because you have a Nurses Association and for the most part you would hope that in a situation like this, a Nursing Center would benefit them. And why would they come out here and spend the time to oppose it if it wasn't something that was something they really did not like. For that reason, I'm voting with reservations. Thank you."

Representative Mizuno rose to respond, stating:

"Thank you, Mr. Speaker, still in support. Mr. Speaker, the Hawaii Nursing Association has 4,000 members. 4,000 members. But at the Finance Committee hearing, we didn't see one. I spoke to their Vice President, Ms. Craft. She said that she can live with the 2010 date. She didn't want it to go to 2014. But if we had the sunset date on 2010, they could live with it.

"She did say this, and maybe I should have clarified this the first time. She would like to work with the Nursing Center. She felt that if the employers would pay half of their $40 fee, every two years there's a $40 nursing fee that they have to pay, for the Center. If the employers would pay half, and they would pay half, she thought that would be a little more fair. She's not against the Center.

"So again, to clarify. I spoke to the Vice President and she did say they're okay with the 2010 date. They do want to work on some things together. They say this is a work in progress. Thank you very much, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition. Clearly there are two Mrs. Crafts around here today. And because of that, I'm going to have to vote no. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2134, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Third Reading by a vote of 44 ayes to 3 noes, with Representatives Meyer, Pine and Thielen voting no, and with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 944-08) recommending that H.B. No. 2588, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2588, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 945-08) recommending that H.B. No. 2664, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2664, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition on Stand. Com. No. 945, Mr. Speaker. I'm concerned about this bill. Perhaps of all the bills that have taken away the Governor's power, this one will actually, potentially hurt the people of Hawaii the most.

"I've summarized the Attorney General's testimony, as well as the Director of DAGS. The bill will turn the clock on Emergency Management Law in Hawaii back 57 years. It significantly hampers the Governor's ability to respond to emergencies and disasters. Sections 127-1 to 127-9 of the Hawaii Revised Statutes have been suspended since 1951. And for the last 57 years, virtually all of the Governor's emergency management powers and capabilities have been found primarily in Chapter 128 of the Hawaii Revised Statues.

"This bill effectively terminates that suspension for this Governor only. It leaves the Governor with two very separate and distinct Chapters for emergency management, and it dangerously hampers the Governor's ability to respond to emergencies and disasters. Basically, it severely limits the Governor and the Governor's ability to exercise emergency power for disasters not caused by an enemy attack. This means the Governor will be limited in almost all disasters as enemy attacks fortunately, seldom occur.

"It is impractical for the Governor to first find and declare through an Emergency Proclamation that tangible and measurable harm or damage has resulted as a consequence of the disaster. And the disaster relief could not otherwise be achieved in legislation enacted in the next Regular Session of a Legislature or Special Session of the Legislature called by the Governor for the purpose of providing such relief. This would therefore Mr. Speaker, precluded the Governor from exercising the Governor's emergency powers for imminent, potential disasters such as a hurricane coming or a tsunami coming. The Governor would need to wait until the disaster occurs before putting all the people in place to protect the people of Hawaii. And in the aftermath of the disaster, the Governor would need to find and declare tangible and measureable harm, and determine if relief could be achieved through legislation.

"In other words, this bill would make her, before she does anything and calls out the Department of Defense and all the people that would help the people of Hawaii, you're making her come back to us. So all the Neighbor Island Representatives would have to come back from wherever they are and we would have to call a Special Session before helping the people of Hawaii. If so, the Governor would be compelled again to call a Special Session, as I mentioned. Meanwhile whatever harm has occurred would mean that any health or safety problems will fester until the Legislature passes the appropriate legislation.

"In an emergency, the Governor as the both Chief Executive and Commander in Chief of the State must able to take action swiftly as a situation warrants. This bill will prevent the Governor from acting on the advice of experts in disaster prevention and response from ensuring the health and safety of the State's citizenry.

"In addition to hindering the Governor from taking timely action this bill will create problems for the Governor even when the Governor is able to provide disaster relief without legislation. In these cases Mr. Speaker, the relief that is provided would terminate at the end of the next Legislative Session, unless the Legislature adopts by Concurrent Resolution or enacts a law to authorize the continued disaster relief.

"This would be disruptive as relief projects often take over a year to complete and precious resources would be diverted to justifying the continuance rather than the continuing of the relief. There may be dozens or hundreds of projects involved to help the people of Hawaii. There may also be impacts on cost recovery and federal and State aid. For those reasons, Mr. Speaker, I just simply cannot support this bill. It would truly hurt the people of Hawaii."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support of this measure. I was afraid we would hear the argument that this was another take-away by the Legislature with the current Governor. But when you think about it Mr. Speaker, the Governor has actually taken power away from the Legislature in the example of declaring an emergency regarding homelessness, not once, but twice in the past year.

"Mr. Speaker, when you think about it, when we passed legislation giving the power to the Governor to declare an emergency, it was done with the intention of enemy attack, terorism, natural disasters, spread of disease, and those kinds of issues. What made homelessness become an emergency? This is something our State has been dealing with for many, many years as many communities throughout our country have been dealing with it. And it's not going to be solved immediately. We're going to continue to struggle with it. We started last year with the Chair of Housing & Human Services, and again as a part of the Majority Package again this year. But Mr. Speaker, what we're talking about …"

Representative Meyer rose, stating:

"Mr. Speaker. Could the speaker stay to the content of this bill. It seems like he's gone a little bit astray."

Representative Caldwell continued, stating:

"I think I'm staying within the content. This bill is designed in part to counter the abuse we've seen in the past year with the Governor's misuse of emergency powers on the issue of homelessness. And that's why I'm talking about homelessness.

"But Mr. Speaker, what would prevent the Governor from exercising emergency powers because there are traffic problems? What would prevent the Governor from exercising emergency power because she failed to release funds for our high schools and elementary schools for repair and maintenance? That is a crisis today and perhaps she could use the same ..."

Representative Meyer rose, stating:

"Mr. Speaker, he's way off the topic of this bill, talking about traffic. This is not what we are talking about. We are talking about changing the way the Governor can declare emergencies."

The Chair responded, stating:

"I think Representative Caldwell is within line as he is talking about whether traffic could be declared as a possible emergency disaster."

Representative Caldwell continued, stating:

"Thank you, Mr. Speaker. I'm just trying to make a point, as where do you define what an emergency is. And the abuse we've seen in the past year, not once, but twice regarding homelessness. So this bill is designed to address that problem. And it's crafted I think, to protect the public.

"I think what we've heard in terms of the arguments so far is taking the arguments to extreme. That's not what is going to occur here. What we are concerned about Mr. Speaker, is when an emergency is declared, the procurement laws no longer apply. Those laws are finely crafted to protect the public. They are there to protect the public. And we want to make sure that if an emergency is declared, that it is truly an emergency, and then the procurement laws can be overlooked.

"Something like homelessness, that was not a reason to get around the procurement laws. How do we know what kind of abuse may have happened? If there is any abuse, we won't know. And therefore we are trying to address that situation. I hope people would support this measure. I think its good government. It has nothing to do with a take away. And if it does, someone must argue it's a take away by the Executive Branch from the Legislative Branch. Thank you."

Representative Thielen rose to speak in opposition to measure, stating:

"Mr. Speaker, I'm personally offended by those comments. I oppose the bill, Mr. Speaker. And I'm personally offended by the comments that say homelessness is not an emergency. That speaker has a roof over his head, a very nice roof up in Manoa. There are people out there on the street. There were people that were evicted by the Mayor, out of the City park. The Governor stepped forward and gave those people a temporary shelter calling it the Next Step so they didn't feel so degraded by the experience of being homeless without any place to go. I've been down to the Next Step a number of times. I saw the people that came out and volunteered their time to set that up so the people would have a place to stay. So their children wouldn't be out there without any shelter whatsoever. I saw the people that really cared and stepped forward in this emergency. Being homeless is an emergency. That is the most heartless comment that I've ever heard in this Chamber, that homelessness is not an emergency.

"Mr. Speaker, our Governor stepped forward and did something that gave people dignity. It gave the volunteers that stepped in to help create the shelter, that helped feed the people, to come down and help give parties for the children. And the people that were there participating in that gave such aloha to the families and the individuals in that homeless shelter. Homelessness is an emergency and we have a Governor that recognized that, stepped forward and acted.

"Now when our side of the island gets a hurricane Mr. Speaker, or I hope not, but possibly a tsunami, I don't want to say to our Governor, 'Sorry, you have to sort of look around and declare that this looks like an emergency, and then call the Legislature back into Session.' For those of us who had been subjected to the tsunami or the hurricane, would be pretty unlikely to show up here because we'd be in our communities to try and help people with that emergency.

"This is the most mean spirited, wrongly devised bill that will hurt our people. And I hope I never ever hear any one else in this Chamber again say that homelessness is not an emergency. Go out there and be with them. And see what that's like and tell me that that's not an emergency in those people's lives. I think this was disgraceful. Disgraceful, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. And unfortunately I will be the one to say that homelessness is not an emergency because I'm looking at HRS 127-1, Definitions for disaster, and that doesn't qualify under that definition. I can read it to you if you want. It's about ten lines long. But unfortunately, homelessness does not qualify because it basically has to be something in relation to, or primarily responsible for disaster caused by fire, flood, tidal wave, volcanic eruption, earthquake or other natural causes, or an enemy attack, sabotage or other hostile actions.

"So while I really believe homelessness is a significant issue and something we do have to deal with, it doesn't qualify as an emergency. Chapter 127 specifically defines it. I apologize to the Representative from Kailua if she's affronted by that. Maybe next time she should put that in a bill so that maybe we could amend this section and actually put that in the definition.

"But if you read the definition, if you read what we are doing in this bill, we are only touching Chapter 127. There's a definition. And I'm surprised she doesn't realize that definitions control the scope of law. That's what we're doing. We're basically saying, when we do come to potential disaster, and she wants to declare an emergency, then she or he, the Governor, whoever they may be at the time, needs to follow a certain procedure. Because we've found in the past that there are times where while Chapters 127 and 128 are supposed to be liberally construed, there are definitions and they need to be within the scope of definitions. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"I also rise is opposition. Mr. Speaker, this bill is entitled, 'Disaster Relief'. But given the context as it's worded, it is disaster creation. Why I feel strongly about this is that we are extremely overreacting.

"If you have a fly in your house, you don't take out a Howitzer and blast it. If you've got a problem with homelessness, you don't say all the powers except, unless there's an enemy declaration of terrorism or attack and things of that sort. We've gone overboard with this, especially when we have to be consulted to know the mindset of what otherwise the Governor has.

"But let's be mindful ladies and gentlemen. We are the Legislative Branch, and that's the Executive Branch. That's the Executive Branch's job. The Legislative Branch is to make policies. If the policies literally handcuff the Executive, I think we have to be mindful of the lives and the property of the people, and that's where it's going to be harmful. If there are lives and property involved, which there are in disasters, particularly of the homelessness that my colleague from Kailua with such righteous indignation just spoke of. Those are real lives.

"So maybe it doesn't meet the technical letter of the law that the Majority Floor Leader spoke of, but the spirit of the law, the lives of those homeless people that the Mayor and other circumstances allowed to be in jeopardy, the Governor saved.

"The bottom line, Mr. Speaker. There's no other way to conclude this. That this is an attempt by an irrational fear of Lingle to do something which is otherwise against the people and we think through this bill, it is against her. It's going to blow up in our face. Thank you, Mr. Speaker. And that would be a disaster."

Representative Evans rose to speak in support of the measure, stating:

"I stand in support. I wasn't the author of the bill, but I was the Chair of the Committee that heard the bill. And I think as policy makers, people bring ideas to you. You debate and then you determine if they are worthy of moving forward. And as we all know in this body, it's through experience and people's ideas that we even have legislation. Or we wouldn't even be here. We wouldn't even have a job.

"So having said that, people brought this forward because of something that happened in the last year or two. Now when I heard the bill, I didn't know about this homelessness. Or I didn't see it as the driver for this. So having said that, I want to do some clarification on this bill.

"House Bill 2664 clarifies when the Governor may exercise emergency powers for a disaster not caused by enemy attack. As a prerequisite to exercising emergency powers for a civil disaster the Governor is required to first find and declare through an emergency proclamation that tangible or measurable harm or damage has resulted because of the disaster.

"And number two, disaster relief cannot be otherwise achieved through legislation enacted in the next occurring Legislative Session or a Special Session called by the Governor. Tangible and measureable harm or damage is defined as harm or damage that has already occurred, and that unless immediately acted upon would otherwise be irreparable, result in the immediate loss of life, or pose an immediate health or safety hazard to humans or the environment.

"House Bill 2664 also provides for the termination of a Disaster Relief Proclamation on the adjournment *sine die* of the following Regular Session unless extended by the Legislature through the adoption of a Concurrent Resolution or enactment of law.

"Under present law, the Governor has broad discretion to define and declare when a disaster has occurred and suspend laws that may impede or be detrimental to providing relief for that disaster. Since June 2006, the Governor has used these powers to issue emergency proclamations to address problems. Through the proclamations the Governor has suspended the Procurement Code, County Zoning Ordinance, environmental impact review laws, land use laws and water quality laws. The Governor also transferred appropriations to homeless projects.

"Now I want you to know that that was given to me knowing that we were going to debate this, because that did not come up in Committee.

"While I do not dispute the public benefits of addressing homeless problems or other projects, I feel that this disaster relief bill should be addressed and at least be considered and debated by this legislative body this Session.

"House Bill 2664 is intended to authorize the Governor to use expansive gubernatorial emergency powers only when absolutely necessary to provide immediate relief for sudden civil disaster. The bill continues to allow the Governor to issue Emergency Proclamations, suspend laws to provide relief for when earthquakes, floods, or tsunamis occur.

"The bill is not intended to hamper or restrict the Governor in any way to address those types of disasters. As such, the bill maintains the Governor's power to expeditiously and effectively react to sudden civil disasters when immediately necessary, while preserving the legislative lawmaking and appropriation powers to address known problems raised through the more deliberate legislative process.

"My colleagues, I ask for your support to continue this discussion on this bill. Thank you."

Representative Pine rose to respond, stating:

"Just in rebuttal and still in opposition. The Majority Floor leader talked about how this should be limited to hostile actions. Previous speakers also talked about how this should be limited to flood, fire, tidal wave, volcanic eruption, etc., etc. But everyone seems to leave out the ending sentence of the statute, which also allows the Governor to declare a disaster from major disasters caused by man.

"I think what's been revealed today is the philosophy that the Governor, and of course our side of the aisle, differ on. We believe that the neglect of the homeless issue for the last 40 years has been a hostile act by man. We believe that it's a hostile act for 40 years to not care for people who do not have homes. We believe that it was a hostile act for the Mayor to kick people out of a place that they were living. So if we are going to debate statute, lets really talk about the whole statute, not just one half of a sentence. The Governor was correct.

"So this is really just a policy decision. We believe that homelessness needs to be fixed. And the Majority believes the same as it has the last 40 years, that the homeless issue is not a crisis and doesn't need to be fixed because we wouldn't be in this situation declaring disaster if we had funded it for all those years."

Representative Caldwell rose to respond, stating:

"Mr. Speaker, my second time with brief comments in support. I just don't want to leave the impression with anyone in this Chamber, that I as a Majority Leader, as an individual Representative in Manoa, and no matter what kind of house I live in, that I don't care about homelessness; that my wife doesn't and that my daughter doesn't; that anyone else in this Caucus doesn't care about it.

"As I pointed out earlier, this Caucus in the past two years and in this Session have Majority platforms on homelessness. Major platforms, last year and again this year. And not only that, but the House and Senate, your Joint Package has platforms on homelessness. We believe that it is a very important issue and we are trying to address it.

"But to get back to the point that the Majority Floor Leader made so clearly is that we are dealing with policy here. And we have a policy in place dealing with disaster declarations. It's clear. It's unambiguous. There is a broad opening at the end to give greater flexibility. But it's designed this way to prevent abuse. And that's what this point is about. It's not about whether we don't have great concern about homelessness. And many of us have volunteered our free time helping on that issue. It's about protecting the public. This is what this is about, straight and simple. Thank you very much, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker. I would just like to elaborate more on what my colleague from Ewa Beach has said about the last portion of the definition of disaster. That it's something that is caused by man and is occurring. We from Ewa Beach know what disaster is. We've been suffering from a traffic crisis, traffic disaster for many, many years. Especially in the last two years, as a matter of fact. I just hope the Governor will see it as well. That there is a man-made disaster in Ewa and it be declared as such so that it is also a disaster and treat it in the same magnitude as the homeless.

"I think there is selectivity here, and if you are going that route of declaring homeless as a disaster, then we should look at the traffic condition in Ewa. I just hope my colleagues would look at it as such and would fight with me in securing a resolution for that disaster.

"Before I conclude Mr. Speaker, if it's considered that I'm not violating any Rules of the House, I think my college from Ewa at one point stood up and described to us in this Chamber, the four types of homeless people, and we'll see if that is something that can be remedied through an immediate or emergency funding.

"So if I may, I'd like her to repeat that description of what homeless people are, or what makes them homeless."

Representative Pine rose stating:

"I don't really understand the question, but I'll try to respond to the comments if I may. By voting for this bill today you will not be declaring traffic as a disaster. So I guess I am consistent with my opposition to this bill."

The Chair addressed Representative Pine, stating:

"Representative Pine, the prior speaker asked for you to clarify the four types of homelessness. You have reached your limit since you already spoke twice."

Representative Pine: "I don't know if there are four. There's varying types. There are people like some members of my family who lost their jobs unfortunately, unexpectedly and who are unable to pay their rent because they are living paycheck to paycheck.

"There are those who are mentally ill who unfortunately, cannot live a stable life and therefore cannot have a stable job, and are unable to have a stable home.

"There are those who are homeless veterans who have Post Tramatic Stress Disorder from other acts of war.

"And I don't really know the fourth one. Oh, excuse me. Drug addiction."

Representative Thielen rose to respond, stating:

"Yes, still in opposition, Mr. Speaker. I wish that we could spend productive time on solving the homeless problem. Mr. Speaker the Majority Leader said the Majority has platforms on homelessness. There's a big difference. Governor Lingle saw the emergency and did something about homelessness, and then this bill is trying to slap her down for doing that."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. I'd just like to point out some facts for the Members to consider. We talk about the homeless. But let's think about what Proclamations have been issued in the past five years. I have the data from 2003 to 2007, and does anyone here know how many Proclamations have been issued by the Governor? Let's just think about it.

"We know about the Windward floods. We know about the Kakaako homeless shelter. We know about the Leeward Coast homeless. We know about the Ala Wai Canal. And we know about Kauai homeless. So right off the top of my head as far as these emergency declarations, I can mention that there are five emergency conditions that existed in our State, if we include homelessness despite the literal reading of the law.

"It kind of puzzles me because when I look back at the record the Governor actually issued 42, 42 emergency declarations. Mr. Speaker, I'm hard pressed just to name these five, and that's why I'm supporting this. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. You know I've been in opposition to this bill in it's earlier times on the Floor. And I continue to be in opposition to this bill. My only questions is, and I would guess, the majority of the people out there in our State, residents of Hawaii would have the same answer. My question is: do you want to be a constituent or resident of Hawaii where your Governor is free to respond to emergencies? Or do you want to be a resident of Hawaii where your Commander in Chief is handcuffed until the Legislature decides to use the key and open up the handcuffs? Because that's what this bill basically does.

"Some of those Emergency Proclamations that were mentioned before, the 42. I know some of them also had to do with rock fall mitigation. Which one of us would be the one who would talk to a family who may have had their family member killed by a falling rock coming off the mountain? And which one of us would be able to explain to that particular family, if you could just wait for that rock to fall before we remove it during the next Legislative Session. Then maybe we would have prevented that. It's a really hard thing to do.

"I'm not willing to go out there and explain to them that we stopped, as a Legislature, it definitely wasn't the seven of us Republicans. We don't want to be responsible for things that we can take care of under the Emergency Proclamations. There are rocks falling everyday. We know from the times we travel over to the North Shore. These are Emergency Proclamations that happen, and emergency appropriations that happen because it's a dangerous situation.

"There's not much more to say. Platforms are platforms. Action is action. When I talk to people on the Leeward Coast, family and friends because I have a lot of them on that side of the island, many say, 'This is the first time that we feel government actually taking an intersest in homelessness.' That there is action being done. And the tent cities and the families and the children that it serves, providing them with a safer environement, those were things that they approved of, and approved of the Governor for doing that.

"So Mr. Speaker, I speak again in opposition and I hope that we reconsider what I think the Legislature is basically saying, that we wanted to spend that money. We wanted to tell the Governor what to do with that money. And when she did something different than what we wanted her to do, we decided that we would do a blanket policy. A blanket policy that endangers the people of Hawaii. I don't agree wth that, Mr. Speaker."

Representative B. Oshiro rose to respond, stating:

"Mr. Speaker in support, just very briefly. I just wanted to counter the argument that this is in any way a handcuff. Again if people just read the bill ..."

Representative Meyer rose, stating:

"Mr. Speaker. Mr. Speaker. I believe this is his third time up on this issue."

The Chair responded, stating:

"No, it's his second time. The other time was Representative Marcus Oshiro."

Representative B. Oshiro continued, stating:

"She's out of order, so she can sit down. At this point, I want people to read the bill. If they took a look at pages 1 and 2, all it has is a proviso and it just says that all the Governor needs to do is make a finding that this could not otherwise have been cured through a Legislative act, whether through a Special or Regular Session. It's just a finding in the Proclamation. That's all that has to be done.

"To say that there is a handcuff, or anything else, and that she's going to issue a Proclamation anyway. Or he's going to issue a Proclamation anyway. So we're just requiring one more sentence. One more finding. I don't see how difficult that is.

"But what this does do is make sure that they really take a look at whether their exercise of an emergency power truly is an emergency power. That's all we're asking for. It's that extra special monitoring to

make sure the actions they take are in accord with Chapters 127 and 128. Thank you."

At 3:59 o'clock p.m., Representative Takumi requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:00 o'clock p.m.

At this time, the Chair announced:

"Members, we've spent a good half an hour on this measure. I will recognize Representative Ward as the final speaker. Anyone else can submit written comments after that."

Representative Ward rose to respond, stating:

"Mr. Speaker, I request if the Chair of Finance would submit to a question regarding the Proclamations that he elaborated on.

"He left the Floor? I just wanted to ask what he didn't like about the results of what the Governor did when she did it; whether it be homelessness or floods. Was there a problem with the results? Or was it the procedure which we are arguing is handcuffing the Governor."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, just please note my reservations on this issue. As someone who is one paycheck away from an emergency and disaster, I look forward to optimistic comments on this issue in the future. Thank you."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in opposition to H.B. 2664, which proposes that any emergency powers in force prior to the effective date of this measure, expire at the end of the 2008 Legislative Session unless reauthorized by the Legislature.

"H.B. 2664 would severely restrict a Governor's ability to take action when immediate and decisive action may be needed regardless of the cause for the emergency. In the words of Governor Linda Lingle's Senior Policy Advisor Linda Smith, this measure impairs the State's ability to provide immediate assistance when it is necessary and warranted by the facts. Further, this bill would slow down the process for requesting a Governor's Emergency Proclamation to protect life and property and to prevent suffering by requiring the State Civil Defense agency to determine if disaster relief to affected residents can be achieved through legislation enacted in the next regular session or by special session. By requiring the Governor to first declare through an emergency proclamation that tangible harm occurred as a result of the disaster, this measure would prohibit the Governor from taking any pre-emptive action to mitigate and prevent damages. This bill, if passed into law, would severely interfere with the responsibilities the Governor has been elected to fulfill."

Representative Thielen rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Thielen's written remarks are as follows:

"What made homelessness an emergency? Here is my answer:

"A family sits in the rain at Ala Moana Beach Park. It has been raining for more than 30 days. The children still attend school, despite the hardships of living outside. Imagine the desperation of those parents who are unable to afford a house to live in and a place for their children to study. Now imagine being told by the Mayor that you must move all of your meager possessions, because the tourists and the residents of this State no longer want to see the homeless in their parks. This is an emergency. The fact that the issue of homelessness and the lack of affordable housing have been callously ignored for many years makes it no less an emergency. In fact this created the emergency.

"Families who are experiencing homelessness must constantly be thinking about food and other resources for their families along with their safety. When you live on the beaches and on the streets, you are constantly aware of your vulnerability. When the Mayor shut down Ala Moana Beach Park and Leeward Coast parks with little warning and more importantly with no alternative location to go to, he created an emergency.

"Our Governor was brave when she declared an emergency related to homelessness. She declared that those who are experiencing homelessness are not to be ignored, but rather recognized as part of our community. With her creation of emergency shelters and more focus placed on the creation of affordable housing, we moved from ignoring the issue of homelessness toward ending homelessness and the prevention of future homelessness. Agencies now have partnered with the emergency shelters to assess the needs of individuals and give them a helping hand to move to the "next step". I applaud the Governor's response to these emergencies and strongly oppose the misguided efforts of the Majority to curb her emergency powers."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Tokioka rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tokioka's written remarks are as follows:

"Mr. Speaker. Some of the members in the Minority Caucus, particularly the Representative from Kailua made comments about Mayor Hannemann kicking people out of county beach parks.

"I think it's important to clarify that the Mayor of Honolulu moved caringly and carefully when he began a concerted effort to clean Honolulu's City parks. When he announced that Ala Moana Beach Park would be cleaned and closed at night, he offered Roberta Derby Park as a place where homeless could stay. He waited for the State to build shelters on the Waianae Coast before moving to clean Maili Beach Park and others in the area. In fact, the State did not embark on a shelter program until the Mayor moved to clean parks.

"Now, thanks to the Mayor's efforts, many of the parks on Oahu are cleaner, and the homeless have shelter, a win-win situation for Oahu residents."

Representative Caldwell rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Caldwell's written remarks are as follows:

"I am commenting in support of House Bill 2664, A Bill for an Act Relating to Disaster Relief.

"Disaster relief as defined by our law (Chapter 127) includes disaster caused by fire, flood, tidal, wave, volcanic eruption, earthquake, or other natural causes or by enemy attack, sabotage or other hostile actions. This is a very important law, which ultimately gives the Governor special powers to act with immediacy and flexibility in the most dire of times. In providing relief, it allows for the suspension of certain governmental requirements ranging from meeting environmental standards to following the State Procurement Code.

"Important as this law is, questions of good government are raised if a Governor decides to determine that an emergency exists outside the definition of law, and apply this suspension of laws in addressing an issue. House Bill 2664 essentially ensures that the disaster relief applies to legally defined disasters.

"As we all know, there are many highly critical problems facing our State. These range from fixing our educational facilities, to homelessness and housing, to traffic, to facing the prospects of a recession and many more. These problems require a variety of approaches from long range planning to short, more immediate actions. This is all part of government responsibility and service.

"But unless a situation is a disaster, as defined by statute, planning must follow the appropriate laws. Serious as many social issues are, they do not fit within the scope of the disaster relief laws. Abuse can occur if a Governor declares something an emergency when it is outside the legal definition, in order to avoid following the laws that are suspended under HRS 127-10.

"We can do a better job of addressing critical issues like homelessness if we plan forward and follow our procurement laws to ensure money is spent wisely and fairly.

"Thus the need for this amendment, which ultimately sets the standard that State government does the right things the right way."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations on HB 2664.

"As the Representative from the Big Island had stated earlier, I believed this bill was relating to disaster relief, as well as clarifying the emergency powers of the Governor. I find it quite interesting that much discussion has centered on the homeless situation. I represent a community in which the Governor's Emergency Proclamation on homelessness has benefitted many, yet at the same time, it has created a dilemma for some.

"Those from other areas have moved onto the beaches and beach parks of my district – seeking homeless services. If we want to talk about Emergency Proclamation on homelessness, let's designate the entire State instead of one community so that all homeless will be able to benefit from such measures.

"I would like to close with this statement: Sometimes, good intentions lead to unintended consequences and sometimes unintended consequences lead to legislation. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2664, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Third Reading by a vote of 37 ayes to 10 noes, with Representatives Bertram, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 946-08) recommending that H.B. No. 2685, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2685, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 948-08) recommending that H.B. No. 2456, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2456, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Sagum, Souki and Takai being excused.

At 4:04 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 937, HD 3
H.B. No. 2908
H.B. No. 2134, HD 2
H.B. No. 2588, HD 1
H.B. No. 2664
H.B. No. 2685, HD 1
H.B. No. 2456, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 949-08) recommending that H.B. No. 2922, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2922, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill. This measure takes money away from the State Highway Fund; and this automatically results in us losing our 4 to 1 federal matching funds when we raid money from the State Highway Fund to pay for things other than what the fund is intended for. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2922, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Pine voting no, and Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 950-08) recommending that H.B. No. 3406, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3406, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with short comments. On Stand. Com. Rep. No. 950, I believe the working group, the HUG, or the Harbor User Group basically worked really, really hard at coming to a compromise on this bill with regard to all the different stakeholders, and with regard to this harbors bill.

"The only thing I'm concerned with is I know it's a common practice to take out numbers within a bill, especially the dollar amounts, but I think the people that worked with this bill spent a lot of time coming up with those numbers. So I hope that it doesn't necessarily mean that those numbers will be juggled around, and that it will stay with, or as close as possible, to the numbers that they had submitted in the bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3406, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL HARBORS MODERNIZATION," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 959-08) recommending that H.B. No. 3410, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3410, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, I'm rising in opposition to the bill. Thank you. Mr. Speaker, this bill relates to biodiesel. I mentioned earlier on another bill that was addressing somewhat the same subject, that there is a worldwide concern about the impact that biodiesel could have.

"The bill gives a preference for biodiesel that is at least 20 percent locally grown and produced; 20 percent from here in Hawaii. But the question is, where does the 80 percent come from? It could be from Indonesia or Malaysia, and could be palm oil from recently destroyed rain forests, and then that mixture is not environmentally friendly.

"The problem also is that if we end up having a State law that defines a fuel to be green if it has any biomass in it, no matter how much fossil fuel was needed to grow it, ship it or process it, or use it to convert into biodiesel, then we're not really moving ahead.

"The *New York Times*, February 8, 2008, hearalded that: Biofuels Deemed a Greenhouse Threat. Almost all biofuels used today cause more greenhouse gas emissions than conventional fuels. I think there's another article in the *Wall Street Journal*, November 28, 2007, and it is: Ethanol craze cools as the doubts multiply.

"We really should be taking a harder look at this. I know there's a real big rush to say, let's be green. But while we're trying to be green, we may end up causing a lot more damage to our climate, to our environment and actually to the world economy, which we're impacting negatively with this rush toward biodiesel. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of the bill and Stand. Com. No. 959. As a brief rebuttal to my colleague. We must differentiate between Malaysian palm oil and Indonesian palm oil. Now, being that I was in the Peace Corps in Malaysia, I know that they are eco-friendly. They have reforestation. They have labor standards. It's not the same as those rainforest devastations, 'slash and burn' techniques that are used in many other countries.

"Having said that, I would go back to what was a pineapple and a prosperous sugar agricultural industry of which is now the fact is we're growing weeds on that property. That is probably the least use we should have. And I wish as my colleague from Kailua, we should never grow fuel to replace food. Food is of primary importance. However, if and until the day that we can stop growing weeds, let's give biofuels a chance.

"And remember, if it's Malaysian palm oil, it's safe, it's certified and it's good for the economy. Thank you."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in opposition to HB 3410, Relating to Biodiesel.

"I believe this bill is premature. The incentives in this bill have merit, but it would be better that these incentives be reconsidered upon the completion of the comprehensive renewable biofuels planning framework presently being developed by DBEDT.

"I am also concerned by the limitation to agricultural lands with a productivity rating of A or B. These agricultural lands are the best overall agricultural lands and most State lands with high-grade designation are already encumbered by long term leases or permits. On the other hand, there are vast amounts of C, D, and E rated agricultural lands that remain fallow and unencumbered. We need to look at using these low-rated lands as possible areas to expand to biodiesel crops because they are more regularly available. Also, displacing other diversified food crops from such lands could adversely impact the State's constitutionally mandated mission of protecting and promoting agriculture."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3410, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," passed Third Reading by a vote of 43 ayes to 2 noes, with Representatives Meyer and Thielen voting no, and with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 960-08) recommending that H.B. No. 3444, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3444, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I was going to vote with reservations, but for now I'm going to vote in opposition. This is basically a tax increase, and I know that it means to do well with the money. Basically let me just read what it is: 'It establishes the Energy Security Special Fund.'

"But this tax is going to be paid by the distributor of the petroleum products. So I'm guessing with what seems to be looming over our heads just around the corner is a $4 a gallon price tag for gas. And I'm just worried when we want to do things like this and we decide to have a tax increase that it will put a lot of pressure to push that increase to our residents, in which they still need to transport, they still need to go back and forth to jobs and home. So Mr. Speaker, I'm in opposition."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On the same measure, I rise in support. Just for the edification of this body, what the tax will amount to is approximately one-third of a penny per gallon. That equates to about $3.89 per person and that's not including the burden that will be passed on to the tourists.

"So for $3.89 a year we can invest toward energy security. And that $3.89 can be avoided easily by doing things that promote energy efficiency and conservation. For example, if people have properly inflated tires, they can probably save that additional amount. If they consolidate their road trips, they can save a couple of gallons and easily save $4 plus. So I'd like to insert additional comments in the Journal. Thank you."

Representative Morita's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to speak in strong support of this measure. With the price of oil over $100 per barrel the State of Hawaii needs to be extra aggressive in promoting energy self-sufficiency, security, and efficiency. I urge my colleagues to pay heed to the purpose clause of this measure. We can succeed in meeting our long-term energy strategy only if we are willing to invest resources toward this strategy. The tax increase in this measure is a small investment towards Hawaii's future and the quality of life for our residents and businesses. The fifteen cents increase can be broken down to an annual cost of $3.85 per resident. This does not take into account the tourist population, who as a group, consume more energy than the average resident and therefore, if adjusted would lower the cost per resident. This annual cost can be broken down to a per gallon cost of one-third of a penny or approximately $0.0036 and will generate approximately $5,400,000 per year.

"However, this tax increase can easily be offset through energy efficiency and conservation. For example, consolidating errands and road trips to save one gallon of gasoline per year will offset the tax increase. Making sure that tires are properly inflated to ensure maximum mileage can also offset the tax increase. Giving up one cup of specialty coffee per year will offset the tax. So there are many opportunities for Hawaii residents not to be affected by this increase.

"Again, Mr. Speaker, this tax is not unduly burdensome on Hawaii's residents. However, the lack of action in addressing a long term energy strategy will be far more costly to Hawaii's residents. This measure is a small investment for the betterment of Hawaii's future."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. The bill increases the tax on a barrel of gas, oil, from 5 cents to 20 cents, so that's four times what it was before. The money in that Environmental Response and Energy Security Tax was really for emergency use in oil spills, and now what we're doing is expanding the use of this to take care of costs for people doing their job. It may only be a small amount per gallon of gas, but it also is passed on in every can of oil that you buy. It's just an increase in the costs of things in Hawaii and for that reason I look at it as an additional tax and can't support it. Thank you."

Representative Finnegan rose to respond, stating:

"Thank you. Short comments Mr. Speaker, still in opposition. I realize that when we break this down it ends up being like 2 cents a day, or whatever it ends up being. But the total amount that the Department of Taxation is saying that we get from this created Fund is going to be $5.2 million annually. Five point two million dollars coming into this Fund and probably most of that amount will be from what we spend on gas.

"Mr. Speaker, this is not the only thing that adds up to all of those costs that we pay. There are tons of little things that we charge our residents, and that's why it makes it so hard for them to enjoy life here in the islands. I just want to make sure that people understand that these little things add up and soon it becomes hundreds and hundreds of dollars in a monthly budget. Thank you."

Representative Ward rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in reserved support, with strong reservation on HB3444, HD2. While we all are in favor of developing clean energy, reducing Hawaii's reliance on fossil fuels as well as reducing greenhouse gas emissions, we cannot impose yet another rise in taxes.

"Mr. Speaker, the cost of living in Hawaii continues to spiral out of control. I have attached a chart that indicates that Oahu's cost of living has risen by an average of 86.5% over the last five years. This House needs to stop squeezing the people of Oahu for additional tax revenue every time somebody has a good idea!

"Mr. Speaker, Hawaii residents already suffer from the highest price of gasoline in the United States; this tax would eventually trickle down to increase the cost per gallon that the average consumer pays.

"Mr. Speaker, I am very much in favor of focusing our attention on reducing our dependence on foreign oil, but I cannot support increasing taxes our citizens must bear. Therefore, Mr. Speaker, I support this measure with strong reservations."

Estimated Total Annual Expenditure on Water, Sewer, Electricity and Gasoline (Family of Four on Oahu)

2002	2007	Percentage Increase (2002-2007)
WATER AND SEWER		
Average water rate (dollars per 1000 gallons)	$2.07	$2.51
Average sewer rate (dollars per 1000 gallons)	$2.76	$4.35
Estimated daily usage (gallons)	400	400
Average monthly water bill (dollars)	$25.24	$30.51
Average monthly sewer bill (dollars)	$33.60	$52.91
Total monthly water and sewer bill (dollars)	$58.84	$83.42
Total annual water and sewer bill (dollars)	$706.06	$1,000.99	41.8%
GASOLINE		
Average price of gasoline (dollars per gallon)	$1.64	$3.07
Estimated annual gasoline consumption (gallons)	720	720
Total annual gasoline consumption (dollars)	$1,180.58	$2,212.99	87.4%
ELECTRICITY		
Average electricity rate (dollars per kWh)	$0.13	$0.24
Estimated monthly electricity usage (kWh)	600	600
Average monthly electricity bill (dollars)	$78.01	$143.72
Total annual electricity bill (dollars)	$936.14	$1,724.64	84.2%
PROPERTY TAX (~2,000 ft² residential home with exemptions)		
Property tax rate (dollars per $1000 assessment)	$3.65	$3.29
Assessed property value (dollars)	$513,900	$1,033,600
Homeowner's exemption (dollars)	$120,000	$120,000
Total annual property tax (dollars)	$1,437.74	$3,005.74	109.1%
ESTIMATED TOTAL ANNUAL EXPENDITURE(Water, sewer, electricity, gasoline and property tax)	$4,260.52	$7,944.36	86.5%
MATSON FUEL SURCHARGE		
Rate on January 1	3.25%	17.50%	438.5%
Rate on December 31	6.00%	29.00%	383.3%

Updated: January 18, 2007, 12:00PM
Governor's office

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3444, HD 2, entitled:

"A BILL FOR AN ACT RELATING TO ENERGY," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 961-08) recommending that H.B. No. 2137, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2137, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 963-08) recommending that H.B. No. 2759, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2759, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I just want to again ask for a potential conflict on Stand. Com. No. 963, Relating to General Excise Tax. My husband works for HMC. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2759, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAX," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 964-08) recommending that H.B. No. 3146, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3146, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just need to request a ruling on a possible conflict of interest. My wife is on the Board of Directors of Mental Health Kokua and they are a service provider for mental health services with the Department of Health. Mahalo," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3146, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 970-08) recommending that H.B. No. 2248, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2248, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Mizuno, Nakasone, Sagum, Souki and Takai being excused.

At 4:18 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2922, HD 1
H.B. No. 3406, HD 1
H.B. No. 3410, HD 2
H.B. No. 3444, HD 2
H.B. No. 2137, HD 2
H.B. No. 2759, HD 2
H.B. No. 3146, HD 2
H.B. No. 2248, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 972-08) recommending that H.B. No. 3213, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3213, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just want to speak on Stand. Com. No. 972, on air pollution fees. I am in support with strong reservations. We already pay sky high fees. I am concerned that when they get hit with these fees, they will then pass it on and it will cost us more for electricity."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3213, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION," passed Third Reading by a vote of 47 ayes, with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 973-08) recommending that H.B. No. 1979, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1979, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SALARIES," passed Third Reading by a vote of 47 ayes, with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 974-08) recommending that H.B. No. 2481, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2481, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support. But I do have reservations on 974-08. We all know this is the VEBA Trusts, and even though I do support this measure and I probably will support it all the way through with a reservation. The reservation basically represents my being uncomfortable with what it does for the remainder of the EUTF because it does affect the costs for the others, not only employers, but for the other unions that will be getting their health insurance from the EUTF. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On the same measure, I would just have the words of the previous speaker and note that I have strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2481, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 47 ayes, with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 975-08) recommending that H.B. No. 2929, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2929, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"This bill seeks to require that the independent medical examinations and permanent impairment rating examinations must be performed by mutually agreed upon physicians and not solely by the employer. I am in opposition to HB 2929 and these remarks are based on the testimony of the Chamber of Commerce of Hawaii before the House Committee on Finance. I agree with the arguments of the Chamber.

"I oppose this measure for the following reasons:

"The independent medical examination (IME) is an essential part of the employers' discovery process to ensure proper treatment and to justify incurred costs. The right for an employer to select the physician of their choice to determine whether or not an injury is work related should not be subjected to the delay and costs associated with this procedure.

"The employers and insurance carrier pay for the cost of the IME, therefore should have the choice of the IME physician. The employee chooses his or her own treating physician, so the employer should be able to obtain a second opinion for his or her protection. Furthermore, it is the employee's treating physician, and not the IME physician, that is conducting the actual medical treatment. The IME physician's role is to merely evaluate the injury and treatment.

"Proponents of the bill believe that this change may decrease the adversarial nature that arises during disputes and eliminate the impression of bias in the IME. However, the vast majority of IMEs are conducted without incident or dispute.

"Safeguards exist for IMEs. Hawaii's work comp law requires full disclosure of the IME report to the injured employee. As a result, the employee will be able to determine whether the evaluation was accurate. The employee or his or her personal physician will have the opportunity to contest the report.

"The Department makes a determination based upon the evidence presented to the hearings officers. This bill appears to suggest that the IME report is the final say regarding the injured employee."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2929, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 976-08) recommending that H.B. No. 2964, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2964, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takamine rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I rise to support this measure.

"Many times this body is caught between employer and employee interests that conflict and we are called upon to choose sides. This measure allows us to see the interdependence between the interests of employees and employers and how we assist both when we support workforce development. For many reasons this is an important policy call.

"Workforce development involves the development of the best educated and best skilled workforce. This attracts new industry and good paying jobs for our working people and represents a significant investment. Therefore, it is good for the entire community and particularly for the younger members of the workforce. We are told that educational attainment is the single most important factor in determining a person's potential income earning capacity. These are the kinds of concerns that will be addressed through support of this legislation.

"I want to specifically thank all of those who not only voiced their support for this bill, but who have worked together to help develop the kinds of programs that will be supported by this measure. It will no doubt make a positive difference in the lives of many working people.

"Mr. Speaker, I fully support this bill, and urge my colleagues to do likewise."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2964, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 47 ayes, with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 977-08) recommending that H.B. No. 3029, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3029, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise in opposition to the bill. This measure is duplicative in nature. According to the Department of Labor's testimony, their Administrative Rules already require that any building or structure on State or county land under private contract must follow Chapter 104D. So I do not see why we have this bill if DLIR can already do this.

"I am also concerned that this bill will take us down a slippery slope on how we legislate through Chapter 104D. Chapter 104 is set up to monitor public contracts. Its purpose is not to act as a construction regulation law. If regulation in the construction industry is what is wanted, then it should be addressed in other places in the law instead of trying to make private projects into "public works" by using a broad definition that ignores the purpose and intent of the law."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition.

"'Public works' projects are intended to be those projects constructed for use by the State or county or are paid for with State or county revenues. This bill, however, would subject leasees of public lands to all the requirements of public works projects notwithstanding the fact that the leasee is a private entity operating a private business.

"Chapter 104 is set up to monitor public contracts where a governmental contracting agency is a party to the agreement. Its purpose is not to act as a construction regulation law. If regulation in the construction industry is what is wanted, then it should be addressed in other places in the law instead of trying to make private projects into 'public works' by using a broad definition that ignores the purpose and intent of the law."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3029, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 43 ayes to 4 noes, with Representatives Ching, Marumoto, Meyer and Thielen voting no, and with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 978-08) recommending that H.B. No. 3030, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3030, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I am rising in opposition. This is another bill trying to rein in the Governor's powers. It clarifies that the Governor may not suspend statutes relating to wages and hours on public works projects unless a state of emergency is declared under the provisions of section 127.

"We had a great deal of debate on this section 127-10 and I don't want to bring all that up, but the Governor declared the emergency in the instance of the homeless because of health and safety concerns. Because it was an emergency, you didn't have to stick with the wages and hours in public works projects. And because of that, she was able to put up some temporary shelters. She was able to house over 1,000 people in a fairly short time.

"There are reasons why under an emergency situation, you shouldn't have to follow the wages and hours on public works projects because you're trying to provide housing, you're trying to put up a wall, you're trying to take care of a dangerous situation. And if you went through procurement and did all the things, crossed all the t's, dotted the i's, people would all be laying out in the water and nothing would be done.

"There are times when it's appropriate and we can't say when those times will be, but we have plenty of problems in this State and if we can solve some there is no question in my mind that the situation out there on the Waianae Coast was a health hazard and a safety hazard. People that lived there wouldn't even go to the beach. Or all the problems with people going to the bathroom outside, and you didn't know what was happening. That's a health issue. It's the kind of thing you find in a third-world country. So for those reasons and many more, I'm going no on this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3030, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 42 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Thielen voting no, and with Representatives Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 980-08) recommending that H.B. No. 2672, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2672, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PARKING," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Meyer voting no, and Representatives Magaoay, Nakasone, Souki and Takai being excused.

At 4:26 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3213
H.B. No. 1979, HD 1
H.B. No. 2481, HD 1
H.B. No. 2929, HD 1
H.B. No. 2964, HD 1
H.B. No. 3029, HD 1
H.B. No. 3030
H.B. No. 2672, HD 2

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 984-08) recommending that H.B. No. 2596, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2596, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support of Stand. Com. Report 984. I feel compelled to provide a spoken statement. Thank you very much, Mr. Speaker. I know first hand from my work with communities that drug abuse has devastating consequences, not only to the individual abusers, but to their families, friends and their community.

"Drug abuse has a tendency to tear families apart. The collateral damage from drug abuse is compelling. In addition to the break up of families, we see physical abuse to household members, divorce, crimes and substantial neglect to our children. House Bill 2596 requires the Department of Human Services to investigate reports of drug use in the home with a child within 24 hours.

"On a personal note, my work as a special investigator at the Department of Human Services, I feel compelled to state without

hesitation, that had the Cyrus Belt file been placed on my desk, it would have gotten another investigator and we would have done a complete site visit within 2 hours. This measure will ultimately help the parent or legal custodian to attain the needed substance abuse treatment, which will produce long-term sobriety goals, improved family relationships, keep our parents or legal custodians in school or gainfully employed.

"Now at the Human Services and Health joint informational briefing on January 30th of this year, the DHS representative stated that they will try to work harder with the police and State agencies to address reported drug abuse and possible child abuse cases. Mr. Speaker, it's time for DHS to abide by the representation. They need to step up to the plate. Illegal drug use in Hawaii is an epidemic that poses great cost to the State and to our families. It's time for DHS to step up and do the right thing. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"I'm rising on the same issue. I'm in favor, but with some serious concerns. This bill as written would require the Department of Human Services to investigate reports of drug use by a parent or legal custodian in the home of a child within 24 hours. This is a bill that is well-intentioned. It comes on the heels of the very unfortunate situation where that poor little boy was thrown off the bridge. But drug dependency is a chronic, relapsing disease which cannot be resolved in the same manner for all individuals. Comprehensive treatment programs that do not separate mothers from children are cost-effective compared to the financial and social cost of separation. This bill implies that you would be called. If that parent is doing drugs, I don't know if that includes marijuana, but drugs. And in 24 hours the Department of Human Services will be up there and I guess to pick up this child and get them out of harm's way. It's simply not realistic. For those reasons, those are my reservations."

Representative Mizuno rose to respond, stating:

"Thank you Mr. Speaker, still in support. I'd just like to address the previous speaker's comments. Again, when I worked at DHS, had I got that file, there's no doubt in my mind this could have been done within 24 hours. I'm kind of perplexed that the Department of Human Services representatives have indicated that it might be a quagmire for them to do this. That's simply incorrect.

"I do want to state for the record that I am concerned. The Department of Human Services transferred out monies, and if you're looking at child out-of-home payments, they transferred approximately $8 million. They transferred that to another department. That may be part of their concerns, that they might lack the financing, and that's my concern about their transfers of monies. Child protection has to be one of the top priorities. DHS stands for Department of Human Services, not 'Do nothing and it might get better'. They need to stand up and protect our families and our children. Thank you Mr. Speaker."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"HB2596 requires the Department of Human Services to investigate reports of illegal drug use in the home of a child within 24 hours. One full year of substance abuse treatment must be completed by a parent, legal custodian, cohabitant or caregiver that has tested positive before being awarded full custody of a child or being allowed to solely supervise the child. This measure establishes a system for the Department of Human Services to allow children to continue to reside in pre-existing caregivers' safe homes rather than enter into foster care, in certain conditions.

"Having the responsible adult who has failed a drug test complete one full year of treatment prior to regaining sole custody of the child is in the best interest of the child. The lack of contact between the adult and child during this period has been brought into question, but having the drug abusing parent figure out of a child's life for a period of time may be far less detrimental to a child than by having a drug abusing parent figure around. Although the parent, legal custodian, cohabitant or caregiver in question may have great desire to care for the child, once they take drugs their judgment is off. Drugs are addictive and the addiction is not easily cured, even when the abuser has all intentions to quit. Requiring a full year of treatment will potentially lead to less people making jeopardous mistakes that could lead to children being injured or exposed to unreasonable risk or neglect."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am standing in support with reservations. As a social worker that actually works with these families, actually works with other individuals who do the fieldwork, that are actual social workers and work the front line, I do think that there is some concern about the ability of DHS to meet this mandate within 24 hours.

"Mr. Speaker it's great that we can set policy here, that doesn't come with money, and resources, and appropriate commitment by both the Administration and this body to deal with the problem, which includes not only issues relating to substance abuse, but physical and sexual violence and intimidation, and domestic violence. Mr. Speaker, I think if we're truly committed, then I would like to see some appropriation language in this bill. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do have reservations on this bill as well. One of the things that I remember and throughout my experience here in the Legislature, is the former Representative from Nanakuli really got me to think about situations like this. There was testimony after testimony about broken families, and about how kids were affected by sometimes DHS, and their want to basically pull children out of homes and that sort of thing.

"And as much as I want to protect kids, because I think we all do, in fact I know we all do, in the different Legislation that I've seen passed. But I have to be mindful of those experiences, of those families. And the kind of language that you have in here requires a parent or legal guardian, cohabitant or caregiver all to be free of drugs, which in a setting I guess, I would totally agree with that. What will happen if you do take away these kids from the homes?

"So I just move forward with reservations that we might be moving too quick in response to an unfortunate incident. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2596, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 986-08) recommending that H.B. No. 2675, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2675, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Lee rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This is just a task force. We've looked at a lot of different issues on medical marijuana and we've decided that a task force would be the language that we would agree to. I think the Chairwoman of Military Affairs did an excellent job dealing with a lot of the kind of pro and con testimony.

"So it's just a task force Members, and I wouldn't expect anything differently than that this Session on this matter, but everyone should of course, weigh in how they feel about medical marijuana."

Representative Bertram rose to speak in support of the measure, stating:

"Yes, I feel compelled to stand and speak in strong support of this measure. This is a promise that we made to sick people back in 2000. We were the first Legislature to legislate this, rather than coming from the people. So it is incumbent on this Legislature to step forward eight years later now to address the flaws in this law. And the flaws are directly related to the patients that this is supposed to be serving.

"Ninety-nine percent of the arrests for marijuana are made at a local level, 99 percent. That means if the State and local authorities stopped arresting medical marijuana users, we would get rid of 99 percent of those arrests. People are hurting because we made a promise to them that they could have this medicine to help them and we have not kept true to that promise.

"What we got was testimony from all the county police officers saying they did not even believe that there was a medical efficacy to medical marijuana, regardless of what the State policy states. So we need to look at these laws, and we need to make adjustments to it. If it's to serve the people that it's meant for, which are these patients, we either fix it or we take it away.

"So it's real important that this task force go forward. And even as we move it to the Senate, that somehow we adjust and make it the lowest enforcement priority for law enforcement agencies on medical marijuana patients. Thank you."

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition of H.B. 2675, H.D. 2, which creates a medical marijuana task force to discuss issues regarding adequate supplies of medical marijuana for qualified patients, the value of constructing secure growing facilities for medical marijuana patients to use to produce their medicine, and study inter-island travel issues related to medical marijuana.

"My extent of support ends at the availability and opportunity to grow marijuana in its current form of law. I don't agree with establishing a medical marijuana task force to essentially discuss mass producing an illegal substance and the illegal transport of a controlled substance. I would be more apt to establishing a task force to study the impacts of medical marijuana usage on the community and the potential dangers involved with the misuse of such programs. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2675, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Third Reading by a vote of 41 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Ward voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 989-08) recommending that H.B. No. 2386, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2386, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker I am in opposition to Stands Com. No. 989, and also Nos. 990, 992 and 993, and I will be very happy to insert remarks against these measures. But I will just note that the worker's comp bills are all very unfair to the employer and heavily weighted in favor of employee. And if the employee is a malingerer, it would really increase costs to everybody concerned and create extra work for the other workers in the firm. This impacts the small businesses more than anyone else. Thank you, Mr. Speaker."

Representative Marumoto's written remarks are as follows:

"This measure provides a disincentive for an employee to return to work and continue to collect temporary total disability payments. It is unfair to employers and only allows an employee, not an employer, to file a request for a return to work hearing.

"These remarks are based on the testimony of the Chamber of Commerce of Hawaii, but many employers share its sentiments.

"The Chamber had concerns with the language that limits the termination of benefits only if the employee's own treating physician says he can return to work. While this is the case in limited situations, it is the employer's physician that often determines if the employee is capable of returning to work. An employee's own doctor will probably not provide authorization that the employee can return to work in any capacity if the employee wants to stay out on disability.

"This language may create a disincentive to return to work because he or she will not get penalized for refusing to return to work especially as the measure increases the weekly benefit amount to 70% of the average weekly wage.

"If the worker is not back on the job, the other employees are forced to shoulder the burden. This adversely affects business – especially small business - that often operates on limited resources.

"This bill does not allow the employer to file a request for hearing with the Department of Labor to terminate TTD benefits. Instead, only the worker can request a hearing. This is will lead to an unfair law and increased costs of work comp premiums."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2386, entitled: "A

BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 38 ayes to 8 noes, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 990-08) recommending that H.B. No. 2387, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2387, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2387, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 42 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 992-08) recommending that H.B. No. 2479, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2479, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"I oppose this measure because it will increase utilization of vocational rehabilitation thus raising the cost of the workers' compensation program and causing insurance premiums to rise as a result. Currently Voc Rehab is specified for injured employees who cannot return to their jobs and who therefore require training for another type of job. If it is available to all injured employees, it would greatly expand the program and increase the cost of insurance.

"Hawaii's work comp system is expensive because of our liberal presumption clause that assumes that almost all injuries are work related. This measure before us would stretch the use of the work comp program."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker. On Stand. Com. No. 992, worker's compensation and vocational rehabilitation. Thank you, Mr. Speaker. I'm rising in opposition to this measure. This measure expands on its ability for it to give vocational rehabilitation to worker's who are deemed unable to return to their regular jobs and not offered work at the pre-injury earnings level.

"I'm concerned that it might be inconsistent with our Administration's rules, policies and procedures, and collective bargaining agreements which govern salary changes when moving from one position to another. Also this bill should be amended to protect workers from employers who do make *bona fide* offers for suitable work, but simply offer temporary employment to end the payment of temporary total disability in the attempt to lay-off or terminate the employee's employment. Also this proposal will allow an injured worker who has not suffered in a work related permanent disability to receive the vocational benefits to include TTD during the period of the injured worker that's in a vocational rehabilitation plan.

"This proposal may require the employer to pay vocational rehabilitation costs and a corresponding increase in worker's compensation premiums for employees. Those are some of the reasons I cannot support this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2479, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 42 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 993-08) recommending that H.B. No. 2927, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2927, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2927, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Marumoto voting no, and Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 994-08) recommending that H.B. No. 3163, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3163, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SPECIAL FUND FOR DISABILITY BENEFITS," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

At 4:42 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2596, HD 2
H.B. No. 2675, HD 2
H.B. No. 2386
H.B. No. 2387, HD 1
H.B. No. 2479, HD 1
H.B. No. 2927
H.B. No. 3163, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1000-08) recommending that H.B. No. 3211, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3211, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. I agree with the intent of this bill: we should ensure that Hawai`i homeowners have the right to save money and energy by using the hot sun and trade winds to dry their clothes. However, we should also respect those homeowners who have chosen to live in neighborhoods that bar clotheslines for aesthetic reasons and who have signed legal documentation in acknowledgement of these restrictive covenants.

"In those particular neighborhoods, known as homeowners associations, homeowners should certainly have the freedom to place clotheslines in their backyards, behind hedges or visual screens so that they may be hidden and out of view. This is an easy and acceptable compromise that I hope my colleagues will also feel is in order. Thank you."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I would also like to register my vote with reservations and I'll make a brief comment. My concern is that those that live in a planned community, residents who buy into the community sign a contract. That might be in conflict with this. Thank you."

Representative Finnegan rose in support of the measure with reservations, and asked that the remarks of Representative Yamane be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker in support. I hope this bill hangs us all out to dry."

Representative Lee rose to speak in support of the measure, stating:

"In support with written comments which actually talk about some of the concerns our community of Mililani has. Thank you."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 3211, Relating to Solar Energy and clotheslines.

"The purpose of this measure is to reduce our dependence on electricity produced by fossil fuels by providing an alternative to our reliance on electric clothes dryers. This bill allows the use of clotheslines by owners of privately-owned single family residences and townhouses.

"A constituent in my community has concerns regarding this measure. He regards the proposed language as being detrimental to the continued success of Mililani's planned community. He is suggesting that the language be revised to require screened clotheslines to block the view of the clothes drying from neighboring streets and properties with the Association's approval of the planned construction. As the language now stands, it would defeat restrictive covenants already existing in planned communities."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3211, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CLOTHESLINES," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Herkes and McKelvey voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1005-08) recommending that H.B. No. 2661, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2661, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1008-08) recommending that H.B. No. 3243, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3243, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. As you are probably aware, opponents from our very own State government have deemed this bill unnecessary. Mr. Speaker, the issue in this case is not only the appreciation of the talented corps of musicians that make up our symphony, but the timeliness of their endowment.

"Our Honolulu Symphony members have been creating innovative new programs to aid education, appreciation, and expansion of the arts here in Hawai`i. The Honolulu Symphony is rich in tradition and continues to enrich our lives by bringing great music to the Hawaiian Islands. Unfortunately, however, the Honolulu Symphony has experienced a shortfall in funding for its operations and programs due to circumstances beyond its control. For all that the Symphony has done for us, in return, it behooves us to support these artists for enhancing the quality of life of the people of Hawai`i.

"I urge my colleagues to support this bill to show our appreciation and support of our own Honolulu Symphony. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3243, HD 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HONOLULU SYMPHONY AND ITS PROGRAMS," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1013-08) recommending that H.B. No. 3358, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3358, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 3358, H.D. 1 that creates a high technology park on the Island of Oahu.

"I agree with testimony provided by Theodore Liu from the Department of Business, Economic Development, and Tourism. He

testified before the House Committee on Economic Development and Business Concerns in support as long as the passage of such a bill "does not replace or adversely impact priorities as indicated in the Executive Biennium Budget."

"He also makes five suggestions that I believe should be considered if an investment in a technology park is a priority of the State. The testimony specifically addresses the requirement of a business plan, the expeditious completion of the project, and exhausting funding options other than the State's general fund prior to appropriating funds. Thank you, Mr. Speaker."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to HB3358.

"I do not think it is necessary for us to spend hard earned taxpayer dollars on a new high technology park on Oahu. As a state, we already have a technology park in Mililani and another on Maui. I agree that having a strong technology-based sector in Hawaii would benefit Hawaii, but we should not be solely responsible for funding such a venture. The private sector should also be involved in this type of project. If businesses think they can make a profit by doing business in Hawaii, they will build this park. The State may and should work with these companies to ensure they receive the right incentives to build such a park.

"We should be looking at ways to make Hawaii a more small-business friendly place, where businesses can thrive without being overtaxed. As a gateway to Japan and China, Hawaii should take advantage of its location and show high-technology businesses that we want them to come here. We can offer tax break incentives and land deals to encourage businesses to set up here in Hawaii."

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB 3358, SCR1013-08.

"Hawaii has struggled long and hard to develop a viable high technology industry. However, as we near the sunset date of Act 221, our biggest high technology tax incentive, we must develop new methods for maintaining our high technology sector. One such incentive is the creation of an infrastructure upon which technology companies can start and thrive.

"This bill instructs the Department of Business, Economic Development, and Tourism, in cooperation with the High Technology Development Council to plan for the establishment of a high technology park somewhere on the Island of Oahu. It also appropriates funds for the construction of an infrastructure at that park so that the State can partner with both the federal government and private sector in sustaining the technology industry in Hawaii. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3358, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Meyer voting no, and Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1014-08) recommending that H.B. No. 2509, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2509, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 2509, which establishes a State program for collection, recycling, enforcement, and monitoring of covered electronic devices, and establishes program funding through the Electronic Device Recycling Fund.

"I am reluctant in funding a program like this while there are opportunities for private funding through companies such as Apple. In October 2006 the University of Hawaii coordinated a one-week statewide educational e-waste disposal program, responsibly removing approximately 1.2 million pounds of e-waste from Hawaii.

"The University of Hawaii recently began discussions with Apple, planning another e-waste disposal effort that included governmental entities. Upon introduction of H.B. 2509, Apple asked discussions to be put on hold simply because if the Legislature decided to mandate disposal programs, Apple would have to redirect its resources into other e-waste disposal programs. Thank you, Mr. Speaker."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm voting no on this. I really believe that the private sector can handle this. I don't think we need to create a new recycling program at the State level. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am in support with reservations. I was just going to go straight up, but it was brought to my attention at the last minute that many nonprofit charity groups use this as a way to raise money so I think that needs to be addressed. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2509, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Meyer voting no, and Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1015-08) recommending that H.B. No. 2581, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2581, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Carroll rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"The purpose of this bill is to improve accessibility to and availability of adult residential care homes and long-term care facilities in Hawaii by establishing the Home and Community Based Services Care Home and Long-term Care Home Facility Repair and

Renovation Loan Guarantee Program (Program) to provide loans to repair or renovate facilities.

"It establishes the Home and Community Based Services Care Home and Long-term Care Home Facility Repair and Renovation Loan Guarantee Revolving Fund; and appropriates funds.

"Any owner of a home and community based services care home or long-term care home facility who intends to repair or renovate the home or facility and whose construction plans for repair and renovation have been approved by the director of health pursuant to section 321- shall be deemed an eligible applicant who may apply for a loan guarantee to carry out the repair and renovation. An applicant for a loan guarantee shall submit an application to the office on a form to be provided by the office.

"This program will offer our many long term care home facility operators an opportunity to renovate and repair their homes so they will be able to operate their home and community based services appropriately.

"With the rising number of our aging population and increased need for medical services and hospitalization, we are faced with the unavailability of hospital beds. This measure provides us the opportunity to address this issue.

"In addition, the Department of Health requested that this program be changed to a grant program versus a guarantee loan program. They requested that this Legislature appropriate $6 million each year for this grant program. This grant program would only help those who operate an adult foster care home and a limited amount of people with a loan of a maximum of $25,000. However, I support a Renovation Loan Guarantee Revolving Fund so we can continue to have funding in our revolving fund to help not only adult foster care homes, but also adult residential care homes, assisted living and all other categories that qualify under home and home based communities services care home or long term care facilities.

"The creation of a guarantee loan program for long term care facilities offers one solution to addressing the issues of renovation and repairs to these facilities. More importantly, the Maui Health Initiative Task Force created through legislation and supported by this Legislature identified and made recommendations such as this guarantee loan program in their report to the Legislature.

"For this reason, I support this measure and ask my colleagues to join me in supporting this important bill, HB 2581."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I am in support of House Bill 2581, which creates a Repair & Renovation Loan Guarantee Program. The program, by means of a revolving fund, will enable owners to fix community-based services care homes and long-term care homes. The program will be administered by an office to be created within the Department of Human Services. Subject to availability of funds, the office will guarantee up to 90% of loan made to an eligible applicant by a private lender. Safeguards are provided in the bill to limit the State's liability.

"One result will be to improve accessibility to, and availability of, adult residential care homes, as well as long-term care facilities. We are all aware of the need for facilities that will provide decent shelter and professional services to our elderly population and persons with disabilities.

"Several organizations and individuals provided supportive testimony at Committee hearings. I urge my colleagues to join me in supporting HB 2581."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2581, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE FACILITIES," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1016-08) recommending that H.B. No. 2897, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2897, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR ASSET BUILDING," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Souki and Takai being excused.

At 4:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3211, HD 2
H.B. No. 2661, HD 2
H.B. No. 3243, HD 2
H.B. No. 3358, HD 1
H.B. No. 2509
H.B. No. 2581, HD 1
H.B. No. 2897, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1017-08) recommending that H.B. No. 3352, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3352, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support of Standing Committee Report No. 1017-08, House Bill 3352, HD 2, Relating to an Audit of the Hawaii Disability Rights Center.

"Requiring the Auditor to perform a financial and management audit of the Hawaii Disability Rights Center is necessary to determine whether the agency is performing according to the mandate for which it was created. Audits are not meant to be a fault finding but rather, should be viewed as a mechanism to review and correct flaws and weaknesses to improve the system. Transparency and accountability are necessary in the use of government funds to erase all doubts and suspicions on the integrity and capability of the agency to provide a balanced and impartial service to its clientele.

"Thank you, Mr. Speaker."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I rise in support of the Standing Committee Report No. 1017-08, House Bill No. 3352, HD2, Relating to an Audit of the Hawaii Disability Rights Center.

"This bill seeks to address the growing concern on the capability of Hawaii Disability Rights Center to continue to function as Hawaii's Protection and Advocacy (P&A) System. The conduct of a financial and management audit will resolve once and for all, any negative impressions or feedback in regard to the management and operation of the Center. The financial and management audit will likewise be an avenue to review and assess existing policies and procedures, whether the same are attuned to the times and consistent to mandates of the Hawaii Disability Rights Centers. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3352, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives McKelvey and Rhoads voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1021-08) recommending that H.B. No. 2974, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2974, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition with a few brief comments. Democracy owes a debt of gratitude to unions. It goes back to the democracy movement in Poland, in which Lech Walesa and his dock workers literally helped take down the iron curtain, the Berlin Wall and bring the freedom that's rushed into Eastern Europe. But they did it in a democratic fashion and I think democracy by card check, by which this bill is now asking is contrary to that spirit. And I think that the unions deserve the rights by which they helped build democracy, and that that same spirit of democracy should be built into their unionization. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2974, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 38 ayes to 8 noes, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1022-08) recommending that H.B. No. 2429, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2429, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be voting no on this measure, on Aloha Stadium. I am hoping that at the end of the Session I can vote for this measure. I flag it out at this time.

"This measure will transfer the operations of Aloha Stadium to the University of Hawaii and the existing Stadium Authority will be *kaput*. The new Stadium Corporation will take its place and the stadium, come July 1, will be administratively attached to the University and will be 'run like a business.' Aloha Stadium may indeed do better on their new leadership. Revenues could increase. Behind the leadership of banker Tony Guerrero, UH football could move into the big time. I commend these business leaders who want to help UH football and other athletic programs, but is there a hitch?

"Aloha Stadium needs fixing and it needs it bad. I hear that our beloved 'rust bucket' venue will require $120 to $150 million to improve its health and safety. The members of the new Corporation are asking us legislators to pay for these repairs and then they will take it from there. The Corporation can make further improvements by issuing general obligation and revenue bonds. They can also sell the name of the Stadium. They could build skyboxes and sell them to corporations and big-time fans. They contend that they could do a better job negotiating TV rights and marketing the place. Then when all is said and done they might even turn excess revenues over to UH athletics. It sounds wonderful, if it works.

"What if the Stadium doesn't make money? What if the UH football team suffers a slump and fans stay away? Will skyboxes continue to sell? Will national TVs still be interested? If revenues fall or are lackluster, there will be no funds for UH athletics. The bill says the Board of Directors may transfer monies to the University of Hawaii and its intercollegiate programs. Who will get stuck with the revenue loss and/or CIP debt service? If I were President McClain, I would be most concerned about the financial liability of this venture. The stadium loses money now and I fear we'll always lose money in the future. Perhaps this is an unlikely scenario, but one that we, as legislators, have to consider.

"Let's take a step back and look at the big picture. What are our plans for the Stadium? Do we fix it up for one or two decades? Do we eventually build a new stadium at the present site or somewhere else? Are we going to build a transit station near the present Stadium? What will happen to attendance and the parking lot while the station and commercial areas are being built? Alas, I do not know these answers, but don't you think the Legislature, or UH, or the public should know the plan before we turn the Stadium over to a new entity?

"House Draft 2 is an improved version of the previous manifestation. House Draft 1 cut the Board of Regents and the UH Administration out of the actions. It ignored the Governor and the Department of Budget and Finance, to approach the Legislature directly to ask for money. House Draft 1 summarily dismissed union employees. It was an arrogant take away and an unforgiveable giveaway. I need not remind my colleagues that past provisions can re-emerge in Conference Committee deliberations. There is also the possibility that the Senate would adopt this version without amendment. In that case Mr. Speaker, absent a veto, the Stadium Corporation will take over on July 1, in just four months.

"I vote no out of concern for the University, my *alma mater* and the *alma mater* of my four children. Are we considering all the intended and unintended consequences of this far reaching proposal? Are we not moving too fast? This institution is too important to our State to jeopardize its reputation or financial standing. Should the measure be enacted however, I would wish the Corporation great success and financial vindication. That would be good news to the football team, and the Athletic Department, and the entire University System, with its thousands of administrators, faculty members, students and alumni. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This really works toward privatization and I think the real question is, who would you rather have running the stadium: Tony Guerrero or Russ Saito?"

Representative Chang rose to speak in support of the measure, stating:

"In support. The success of the football season brought the spotlight not only to our outstanding football team, but also on the deplorable conditions of our athletic facilities. The question in the public's mind is, who is responsible? The UH Administration? The Board of Regents? The Legislature? The Governor? Why was this

not brought to our attention earlier instead of waiting until Colt Brennan complained about the lack of soap in the shower room? Unfortunately the answer may be, all of the above.

"Do we fault the Board of Regents or UH Administration for earmarking and giving higher priority for funding much needed repair and maintenance to the Upper Campus? Education of our students is of course, our highest priority. With limited funds to maintain the State's highest educational institution, it is no wonder that attention to athletic facilities may have been falling on the wayside for so many years. This bill is just the start and as written, may not be the answer to funding our athletic departments throughout the University of Hawaii System. But we need to think out of the box, be innovative and harvest ideas from the private and business sector who will not be handcuffed by government bureaucracy.

"Can this new Stadium Corporation do a better job of operating, maintaining and managing and generate more income than the present Aloha Stadium Authority? Can this new Corporation generate enough net income to transfer into the intercollegiate athletics program of the University? This bill specifies that the Legislature shall use its discretion to determine whether the debt service on the general obligation bonds would be reimbursed by the newly created Aloha Stadium Special Fund, or paid only with general funds.

"I ask Members of this body to give this bill a chance as it moves on to the Senate where it will be scrutinized by both the UH System Administration, and the Education and Ways and Means Committees. This is another funding source for the University of Hawaii to help level the playing for our other intercollegiate athletic competitors. This bill will also help the core academic mission of the University by making available more funds for the Upper Campus."

Representative McKelvey rose to speak in support of the measure, stating:

"Yes, just in support with real brief comments. To those who wonder if this is going to work, all they need to do is look to Boise State. After Boise State won the Orange Bowl, they took the money and sunk it into their stadium, putting in skyboxes and media boxes. These are multi-year contracts. And as a result, even though they didn't have a winning season last year, the skyboxes were full. And because of the better media facilities, they had better TV coverage which resulted in media contracts, that brought in even millions of more dollars.

"So I think this will work. I think Boise State has shown it will work. And so we need to hopefully move this on. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition. I don't know about Boise State, but I know they won the Fiesta Bowl and I think that did a lot for them. That was two years ago. And I don't know the condition of their stadium, but our stadium needs a lot of work. And according to this bill, the University's just going to take it over and they're not going to have the responsibility of any of the costs to refurbish or maintain the facility.

"Of the $9 million plus that came in last year from the Stadium, the University's games only represented 13 percent of the revenues. I think you could find any number of people who would like to take over the Stadium on these terms. The deal that's presented here in this bill is this: Keep all the revenues and don't pay any of the expenses. It's a pretty sweet deal. The State will still be stuck with all the expenses and the big repairs.

"We've been told that it would cost $160 million to bring the Stadium back up to a really great state and it would be another good 25 years. These are not facilities that have short lives. Look at Fenway Park. It's over 100 years old. So I just don't see the benefit here for the State, and I don't really even know what this Corporation is going to do. It seems like such a one-way street. I don't know what they're bringing to the party. They're not paying anything. They're keeping all the revenues, and the State's still stuck with all the costs. Thank you, very much."

Representative Karamatsu rose in support of the measure and asked that his written remarks and the remarks of Representative Chang be inserted in the Journal as his own, and the Chair "so ordered." (By reference only)

Representative Karamatsu's written remarks are as follows:

"I rise in support. The Legislature finds that Aloha Stadium is a public asset with major structural deficiencies yet untapped potential. The Legislature further finds that transferring jurisdiction over Aloha Stadium to a public body with corporate powers is in the public interest. The Legislature believes that such a corporation would be better able to maximize the use and, consequently, income of Aloha Stadium and generate support for the capital improvement of Aloha Stadium to substantially extend its useful life.

"The Legislature also believes that placing Aloha Stadium under a corporation may result in the generation of net income transferable to the University of Hawaii's intercollegiate athletics program.

"The purpose of this bill is to create the University of Hawaii Stadium Corporation and transfer jurisdiction over Aloha Stadium to the Corporation. The primary duty of the Stadium Corporation is to operate, maintain, manage, and improve Aloha Stadium with the University of Hawaii as the major tenant. The secondary duty is to generate net income from Aloha Stadium that may be transferred to the intercollegiate athletics program of the University of Hawaii.

"The Stadium Corporation will be headed by a Board of Directors consisting of 11 members: the University of Hawaii President, five members appointed by the University Board of Regents, and five other members appointed by the Governor, subject to the confirmation of the Senate. All Board Members must have experience in business, marketing, accounting, economics, engineering, architecture, or sports administration.

"This bill also provides the Stadium Corporation with a certain degree of autonomy and flexibility to perform its duties. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, in support with reservations. I liked this idea when we first heard about it. As a Republican, we always trust business more than government. But I think in listening to the testimony, it really reflected in summary what Representative Meyer said, that they didn't want any of the expenses, but only the profits. Just from that point alone, I could not see us supporting this if it stays that way."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. I understand that you want brief comments to be inserted, but I need to make a couple comments regarding this bill. Mr. Speaker within the bill, the fact was highlighted that the intent was to have this new entity have the responsibility, and let me quote what is in the bill. 'The corporation for the operation, maintenance, management and the improvement of Aloha Stadium.'

"So Mr. Speaker, this entity again, will be responsible for the operation, maintenance, management and improvements of the Stadium. No entities will just get the money and be able to use it on their own behalf.

"Also Mr. Speaker, during our discussions both with the University, with UH Athletic Department and with other entities that are actually excited about this private, potential opportunity to become more involved and use this nexus to expand the range and influence of our University System.

"Mr. Speaker, I understand why people are concerned. We've addressed several concerns, those of the labor unions and the issue of the procurement process. Mr. Speaker, as the process goes on it'll show that this is an opportunity to also enhance our ability for the University of Hawaii to succeed, not only in athletics, but also academically. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am rising with reservations and very short comments. Privatization, when I first heard of it, I too was in support. But two of the major parts of privatization I thought were procurement and labor issues. So again, it's hard to grasp what this is going to look like, so I'm going to remain optimistic that maybe we can find something that will work."

Representative Ward rose to speak in opposition to the measure, stating:

"In opposition. It's too short to put down in written comments. Those of us who were here in the 90s Mr. Speaker, heard similarly the optimism of which the Hawaii Hospital System Corporation, if it was given a chance to get into the private sector, to privatize, to get joint ventures. And we know now that's a $25 to $50 million burden that the State is taking on. But it had the same conceptual notion that we're looking at the Stadium. What it brings to the table is very little, and how we're going to turn the corner in terms of probability is very, very remote. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2429, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATION," passed Third Reading by a vote of 40 ayes to 6 noes, with Representatives Belatti, Berg, Marumoto, Meyer, Morita and Ward voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1024-08) recommending that H.B. No. 2388, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2388, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am rising in opposition to this bill. HB 2388 is similar to one that the Governor vetoed last year.

"Mr. Speaker, this bill requires an employer or employer's insurer to continue to pay for medical treatment even after the employer or employer's insurer considers the continued treatment to be inappropriate AND after an independent examiner has concluded the employee is ready to go back to work.

"Requiring an insurer to pay for medical services that were determined unwarranted or unnecessary with no substantive right to recovery until the parties are notified of the Director's decision denying the benefits, will likely result in higher workers' compensation premiums, since this adds to the workers' compensation risk exposure of all businesses in Hawaii.

"There are already adequate safeguards within the statute, Administrative Rules, and current practices to insure that an individual receives appropriate medical care. If the treatment being provided is no longer related to the industrial injury, then those services should be billed to the private medical carrier and not be a burden on the workers' compensation system.

"Over the past year, our businesses have seen their workers' comp premiums decrease due to safer workplace environments throughout the State. I don't see any reason why this Legislature would want to "punish" employers for having safer work environments by passing this bill that will increase their workers' compensation premiums. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2388, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Third Reading by a vote of 41 ayes to 5 noes, with Representatives Ching, Finnegan, Marumoto, Meyer and Pine voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1025-08) recommending that H.B. No. 3174, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3174, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1026-08) recommending that H.B. No. 7, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 7, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 7, H.D. 1, which directs the Governor to establish the State of Hawaii's participation in the I-SaveRx prescription drug program. I can appreciate the intent of this bill which tries to lower the cost of prescription drugs, but the importation of unapproved drugs is prohibited under federal law.

"Testimony from the State Attorney General also states that, “the interstate shipment of any prescription drug that lacks required FDA approval is also illegal.” The same testimony also provides details on the drug distribution network for legal prescription drugs within the United States that protects the public from receiving unsafe, ineffective, or poor quality medicine. Federal law also prohibits any person other than the original manufacturer of a drug originally manufactured in the United States to receive imported drugs. Thank you, Mr. Speaker."

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"Mr. Speaker, I am in support of this measure. Let's be clear. This measure is not the best solution to lower the cost of prescription drugs in our State. But it's become clear that expecting the federal government to do something is wishful thinking.

"States can and must take action and this measure is one example of what we can do. The bill enables the State to participate in the I-SaveRx program that is currently in effect in five states.

"I-SaveRx is a prescription drug reimportation program whereby a pharmacy benefits manager, a PBM, works with member states to enable its residents to access discounted drugs through the internet and a toll-free number. Illinois alone saves its residents over $100 million a year through this program.

"What kind of savings are we talking about? Let me give two examples.

"Lipitor is an anti-statin drug for those who have high cholesterol and is taken by over 26 million Americans. A 90-day supply from Long's will set you back $393.85 For those who have access to I-SaveRx, their cost would be $234.14, a savings of almost $150.

"Or take Nexium, the well-known proton pump inhibitor used to treat acid reflux or heartburn. (And after today's session some of us may need a dose.) Go to Long's and be prepared to pay $499.30 for a 90-day supply whereas I-SaveRx will cost you $211.70 or 57 percent less.

"Why shouldn't the residents of Hawaii have the ability to access prescription drugs at a lower cost that will improve their quality of life?

"HB7 HD1 is a modest attempt to do just that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 7, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1027-08) recommending that H.B. No. 12, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 12, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"I am in support of this measure. In 1993, Minnesota became the first state to ban certain gifts and require the disclosure of marketing tactics employed by the drug industry to doctors. Minnesota did this out of concern that the pharmaceutical industry does not compromise patient health and safety by aggressive marketing practices.

"The measure before us does not ban gifts, but merely creates transparency to benefit consumers and ensure that medical decisions are made based on sound medical judgment and evidence.

"Last year, The New York Times reported extensively on the data collected as a result of the Minnesota law. It revealed conflicts of interests, suspect clinical decisions, and marketing tactics that raised serious concerns.

"Of course, there is nothing illegal about these practices and nothing should be implied or inferred that suggest this. However, as the article reported, ". . . research shows that doctors who have close relationships with drug makers tend to prescribe more, newer and pricier drugs—whether or not they are in the best interests of patients."

"That said, we should join Minnesota, Vermont, West Virginia, the District of Columbia, and Maine in enacting this measure which will benefit our residents and ensure that medical decisions are not based upon marketing ploys, but sound medical reasons."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 12, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PRESCRIPTION DRUG COST CONTAINMENT AND AFFORDABLE ACCESS," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:05 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3352, HD 2
H.B. No. 2974, HD 2
H.B. No. 2429, HD 2
H.B. No. 2388, HD 1
H.B. No. 3174, HD 1
H.B. No. 7, HD 1
H.B. No. 12, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1028-08) recommending that H.B. No. 2504, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2504, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1029-08) recommending that H.B. No. 2863, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2863, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Standing Committee Report 1029, I wanted permission to put the remarks of the Sierra Club into the Journal. I'm in opposition to the bill. Thank you."

Representative Thielen submitted the following testimony:

"The remarks of the Sierra Club, Hawaii Chapter are as follows:

HB 2863, HD 2 Permit deadlines for renewable energy projects
While we greatly appreciate the intent behind the measure – ostensibly to expedite the development of renewable energy sources in Hawai'i – we fear that faulty decision making may result if agencies and commissions are forced to expedite energy permits at the expense of reduced public input and deliberation. The State or our environment may be liable if a crucial environmental issue – say a habitat conservation plan for an endangered bird – delays a project. First, it has been our experience in tracking clean energy developments in Hawai'i that the environmental disclosure and permitting hurdles are lower on the list than the obstacles such as financing, land acquisition, and interconnection agreements with the

electricity utility. In fact, interconnection agreements seem to be the biggest roadblock. Second, our existing permitting process protects the environment and the public's right to provide input in the decision making. This usually makes for better sitting and development decisions. Given that many of our indigenous energy resources will be harnessed in remote or ecologically sensitive areas proper permitting and analysis are crucial. In the case of the Kaheawe pastures on Maui, the existing permitting process produced and agreement to protect the Nene and other species. But expediting permitting of new renewable energy facilities – particularly those that are located in wild areas – may cause important resource protection measure to be overlooked. Third, some of the "renewable energy facilities" contemplated in HB 2863 HD1 may be truly fossil fuels facilities in disguise. A recent proposal to produce bio fuel by Kauai ethanol LLC sought a covered source air permit to burn imported coal at the facility to convert molasses to ethanol. In lieu of this measure, the Sierra Club would fully support bills to provide a renewable energy facilities coordinator at DBEDT (an ombudsman of sorts) to help shepherd projects, priority processing of renewable energy permits, and any other measure s to cut bureaucracy – as long as the existing public input and environment process remain intact."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2863, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives Luke, Saiki and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1030-08) recommending that H.B. No. 2256, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2256, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Finnegan voting no, and Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1032-08) recommending that H.B. No. 3279, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 3279, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"I'm rising just with reservations on this particular issue, Stand. Com. No. 1032. This is a budget grant-in-aid for the Hawaii United Okinawa Association. My only concern is that we are going to handle grants-in-aid in a different way this year. And so I thought that maybe all the grants-in-aid would be considered the same way. But yet this one comes as a bill, so that separates it out from the rest of the flock. And that's my only reservation. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3279, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII UNITED OKINAWA ASSOCIATION," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1033-08) recommending that H.B. No. 2520, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2520, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I am in strong support of HB2520, a bill which supports strong families, strong workplaces and strong communities by providing employees with "time to care" for a family member who suffers a "serious health condition."

"Mr. Speaker, this Legislature tasked the Joint Legislative Committee on Family Caregiving to look for solutions – one aspect of this was to look for how we can assist the family caregiver, who is still an active employee, to be able to remain in the workforce while still discharging caregiving duties.

"Balancing the demands of job and family is a tremendous challenge for working people today. Under current conditions, it is often insurmountable and the caregiver gives up his job, however, states have led the way in fostering family friendly workplaces.

"More women with children, as well as dependent parents, work than ever before. People who must work to provide for their families increasingly find themselves torn in two directions. Meanwhile, many businesses find it hard to recruit, train and keep skilled workers. Without paid time, too many people can't discharge their caregiving duties when the recipient has an emergency illness, surgery or accident.

"Paid family leave would be a big investment in Hawaii's workers and its economic prosperity.

"Hawaii's existing Temporary Disability Insurance system (TDI) offers a perfect solution to build upon. The TDI system must evolve to accommodate the changes of the workforce and family lifestyles. TDI already provides partial wage replacement to people who need time off for illness or injury. Expanding TDI would require only a modest increase in cost and could be paid either by the employer or passed on to the employee.

"The increased cost cannot be compared to the cost of hiring a new employee and providing training or the impact of the loss of a key and experienced employee.

"The time has come for everyone in our community to begin to take responsibility for the increased responsibilities of an aging community.

"The family caregiver in Hawaii provides 15% of the elder care in Hawaii compared with 5% on the U.S. mainland. The family caregivers in Hawaii are a tremendous economic asset to the State – the time has come to let them know we care.

"Opponents have said this bill is contrary to the intent of the TDI law. However, I feel it is completely consistent as it allows people to get back to work. What this does is amend 392-2 HRS, which is the findings and purpose section of the TDI law, to include providing reasonable compensation for wage loss caused by the need to care for a family member with a serious health condition.

"Some may say we would increase the cost of doing business, but in reality this is a policy decision which strengthens the work force and in turn strengthens our state. Hawaii is currently experiencing a labor shortage. The cost of extending TDI benefit payments for

caregiving purposes should always be weighed against the benefit of maintaining a robust work force.

"A national poll conducted in 2007 by Lake Research Partners shows that 76% of voters support paid family leave. Support is strong across geographic, demographic and party lines. In an earlier poll, 4 out of 5 working women said that access to paid family leave is more important than increased pay, promotions or job flexibility.

"The bill gives ample time for the Labor Department to work out administrative details until 2009 and yet another year, until 2010, to implement.

"Let's follow the lead of states like California, Washington and New Jersey—New Jersey specifically places this into TDI. I urge the Members' support."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in opposition to House Bill 2520.

"Employers should not be mandated to provide wage replacement benefits by way of Temporary Disability Insurance (TDI) for employees unable to work due to caring for a family member.

"TDI is meant to cover an employee when they can not come to work due to a personal injury. By extending TDI to cover an employee's absence from work due to caring for a disabled family member, we will surely increase the cost of TDI to businesses.

"I am also concerned that this bill would pose a great hardship on employers if employees are out week after week. Also, this bill won't really help people who are caring for elderly parents because such care requires a substantial amount of time far more than this bill would allow."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2520, HD 3, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," passed Third Reading by a vote of 43 ayes to 2 noes, with Representatives Meyer and Pine voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1034-08) recommending that H.B. No. 396, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 396, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 396, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Meyer voting no, and Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1035-08) recommending that H.B. No. 2961, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2961, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr Speaker, I rise in strong support of HB 2961, SCR1035-08.

"With the passage of Act 206, SLH 2007, this measure gives the Director of the Department of Taxation additional information to evaluate the economic impact of each existing and proposed tax incentive and to report back to the legislature on its findings every year until 2012.

"As lawmakers, we currently grant many tax incentives, but we must have a clear understanding of how the tax incentives are impacting our economy and annual revenues. Passage of this measure will give us that clear understanding. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you. With reservations, Mr. Speaker. I believe this bill sunsets all existing tax credits, so I just wanted to note my reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2961, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1036-08) recommending that H.B. No. 2186, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2186, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 2186, H.D. 2, which extends from 90 days to one year of a unilateral special education placement, the time allowed for parents or guardians or the Department of Education to request an impartial hearing regarding reimbursement for the costs of a child's placement.

"I understand that the system is difficult to work through at times. I would rather see the process improved to respond and help guide parents or guardians to a fair outcome. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2186, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

At 5:10 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2504, HD 2
H.B. No. 2863, HD 2
H.B. No. 2256, HD 2
H.B. No. 3279, HD 1

H.B. No. 2520, HD 3
H.B. No. 396, HD 2
H.B. No. 2961, HD 2
H.B. No. 2186, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1037-08) recommending that H.B. No. 2973, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2973, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you Mr. Speaker. I rise in support with reservations on H.B. 2973, H.D. 2, which establishes an early learning system in the State and creates the Early Learning Council to develop and administer the system.

"This is a very good bill. My reservations stem from the fact that the governance structure is not included and the program is administratively attached to the Department of Education. I would rather see it attached to the Department of Human Services or the University of Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2973, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1038-08) recommending that H.B. No. 1745, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 1745, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition of H.B. 1745, H.D. 3, which establishes job security requirements upon the sale, merger or other transfer of a business establishment that employs 100 or more persons. I believe enacting a law of this nature could be detrimental to Hawaii's economy.

"I agree with testimony from The Department of Labor and Industrial Relations that it would not be in our best interest to dictate to private companies on who they should hire and terminate under certain circumstances. Private companies making an investment would naturally look at retaining personnel that represent the best interests of the company. They don't necessarily have to be told who to keep, they already know because of the extensive research that is done prior to buying the company or business.

"On the other side of the coin, if a business isn't sold because of the unattractive requirement of keeping all the employees, the likelihood of the business going under is greater. The mechanism put in place in attempt to keep all jobs actually jeopardizes them all. Thank you, Mr. Speaker."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill. HB1745 is just another bill introduced by this Legislature to increase regulations and place restrictions on the private sector. I don't know what business would in its right mind acquire a failing business if it was forced to retain all the employees of the failed business. A company buying another company will naturally want to keep the good employees, and remove the employees that do not fit into their plans. That is the way the private sector works.

"This bill also interferes in the new employer's right to select employees appropriate for their goals and objectives. As a result, it may have an adverse consequence of discouraging capital investment in Hawaii because purchasers will be more reluctant to acquire companies in Hawaii as a result of the ureasonable requirements and mandates.

"I urge my collegues to vote in opposition on this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1745, HD 3, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Ching, Evans, Finnegan, Marumoto, Meyer and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

At 5:13 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2973, HD 2
H.B. No. 1745, HD 3

THIRD READING

H.B. No. 2216, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2216, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

H.B. No. 2217, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2217, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF INFORMATION PRACTICES," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

H.B. No. 1978, HD 1:

Representative Caldwell moved that H.B. No. 1978, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Yes, with reservations. May I have the words that I spoke on Second Reading inserted in the Journal for Third Reading," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 1978, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Thielen voting no, and Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

H.B. No. 2730, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2730, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

H.B. No. 3013, HD 1:

Representative Caldwell moved that H.B. No. 3013, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition of H.B. 3013, H.D. 1, which adds a new section to Chapter 14, Hawaii Revised Statutes, to enact agreement that allows member states to determine the winner of a presidential election by "national popular vote." The Electoral College was set up for small states to have a voice and we shouldn't be so willing to give that up. Thank you, Mr. Speaker."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Berg rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"I rise today to speak in opposition to HB 3013 HD1, Relating to the Agreement Among the States to Elect the President by National Popular Vote.

"This bill would, in effect, amend the U.S. Constitution to bypass the role of the Electoral College in future presidential elections. It would, on the basis of minimal public discussion and debate, overturn two hundred years of constitutional law.

"Whether the Electoral College still serves its original purpose is certainly a legitimate question. But this bill has generated little public debate here in Hawaii, has drawn virtually no public testimony in support or opposition, and has not been subjected to the scrutiny that we should rightly expect for such a significant change in our constitutional system of government.

"HB 3013 HD1 has been guided through this Legislature by well-known lobbyists, who have done an effective job at moving it ahead with little public notice. That may be good lobbying, but it is not good public policy.

"This bill also raises the potential both for unintended consequences and setting an unfortunate precedent. Would this bill strengthen Hawaii's voice in the presidential selection process or reduce it to insignificance? If this measure shunts aside this one constitutional provision by a simple majority vote and without the protections built in to the process of amending the Constitution, will other aspects of the Constitution become fair game in the future?

"For these and related reasons, I will cast my vote today against HB 3013, HD1."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in strong opposition to this measure.

"House Bill 3013 attempts to circumvent the procedures already set in place by our founding fathers in the US Constitution. The Electoral College is a sacred and important voting mechanism. It has served our State well over the years. The Electoral College protects small states from becoming irrelevant to the election process. If we require Hawaii's Electoral College to cast its votes to the Presidential candidate that wins the popular vote, Hawaii's electoral college will no longer be seen as a voice of the people and will be seen as a "pawn" of larger more populated states who may have voted for a candidate the voters of Hawaii did not want as President. For example, Hawaii voted for John Kerry for President in 2004, but under this law, Hawaii would have to give its electoral votes to President Bush because he won the popular vote. I believe the Electoral College is important and allows Hawaii to voice its preference for President and this bill could remove Hawaii from relevance during a presidential election."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 3013, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Third Reading by a vote of 36 ayes to 9 noes, with Representatives Belatti, Berg, Ching, Finnegan, McKelvey, Meyer, Pine, Saiki and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

H.B. No. 1968, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1968, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," passed Third Reading by a vote of 45 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki, Takai and Ward being excused.

At 5:16 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2216, HD 1
H.B. No. 2217, HD 1
H.B. No. 1978, HD 1
H.B. No. 2730, HD 1
H.B. No. 3013, HD 1
H.B. No. 1968, HD 1

H.B. No. 2355, HD 1:

Representative Caldwell moved that H.B. No. 2355, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on SCR 710.

"I understand that HB2355 was drafted to stop "fake farms" from receiving special permits to drill wells. I have strong reservations because there is no provision for a farmer to receive a permit for a well. A 5-year moratorium could create a real hardship for a real farmer who could benefit from a well. Being a farmer in Hawaii is hard work and I think this Legislature should continue to work with farmers to make sure they get the help that they need.

"The Commission on Water Resource Management has testified that under the common law in the State of Hawaii, in areas that have not been designated ground-water management areas under §l74C-4l, Hawaii Revised Statutes, landowners have an established correlative right to drill a well and take some water underlying their lands. This is provided that there are insignificant impacts to other nearby existing wells and ground- and surface-water resources. It is unclear how this bill would affect such correlative rights. So I hope that the Legislature will work with the Commission on Water Resource Management to address their concerns so our farmers will not be negatively impacted."

The motion was put to vote by the Chair and carried, and H.B. No. 2355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WELLS," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Herkes and Sagum voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2243, HD 1:

Representative Caldwell moved that H.B. No. 2243, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. Although the testimony may muddy the water in regards to why this bill is necessary, it may be helpful for the Members to have some background on this bill. This measure is designed to fix a particular anomaly in land use law. The problem arises specifically from a Maui Corporation Counsel opinion that in the case of an invalidated zoning, the permissible uses of the property would be those that were valid under the previous classification. Thus, certain parcels that were reclassified as urban by the LUC, when zoned as something different by the County Council, would revert to the original classification.

"Land use law presented a sweeping policy change in the late 1950s, and it is a testament to the vision of the legislators at the time that we have not encountered major difficulties in the present system. This bill is a lead indicator of another great shift in land use law. With major changes in the way land is traditionally owned in Hawai`i, this measure seeks to help eliminate bureaucratic entanglements. I hope my colleagues can support this measure to demonstrate to the public that we do have a clear vision for what we would like Hawai`i to become."

The motion was put to vote by the Chair and carried, and H.B. No. 2243, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 43 ayes to 3 noes, with Representatives Berg, Saiki and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 1975, HD 2:

Representative Caldwell moved that H.B. No. 1975, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations.

"Mr. Speaker, when a dignitary from another country visits the Islands, I think the Legislature should make sure we honor our guests with the highest respect and the warmest aloha possible. However, I do not think this is a primary duty of the Legislature.

"I believe it is the duty of the Executive Branch to handle protocol arrangements. Our current Governor has honored many guests from other countries and has also visited many countries during her term in office. Her office is more than capable to arrange for our special guests from foreign countries.

"If any of our Legislators want to honor special guests personally, I feel we have enough of a generous allowance to entertain these guests during their visit. This fund is unnecessary."

The motion was put to vote by the Chair and carried, and H.B. No. 1975, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2874, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2874, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," passed Third Reading by a vote of 45 ayes to 1 no, with Representative Finnegan voting no, and Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2956, HD 1:

Representative Caldwell moved that H.B. No. 2956, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I am opposed to House Bill 2956, H.D. 1 because it strips communities and individuals of their current rights under H.R.S. Chapter 91 to influence the rulemaking process that will affect areas within their neighborhoods.

"This measure is a short-sighted, dangerous reaction to Tanaka v. State of Hawaii, 2007 WL 4572956 (Haw. App. 2007), a court decision in which the Intermediate Court of Appeals held that the Department of Land and Natural Resources (DLNR) must follow the administrative rulemaking procedure set forth in H.R.S. Chapter 91. This process includes requirements of notice and opportunity to be heard.

"First, I am concerned that this measure is short-sighted because while the current Board may promulgate rules that are favored by a community or one constituency within the community, what

safeguards exist that future Boards promulgate rules that are favored by the community? Without public hearings and the opportunity for the public to be heard under H.R.S. Chapter 91, people will only be able to speculate as to why hunters got a favorable outcome over homeowners or vice versa. Specific constituencies and the public-at-large will be left out of the decision-making process with little recourse for rulemaking gone afoul. I am not sure we are prepared to tell our constituents that their thoughts on rules no longer matter.

"Second, I believe that this measure, although restricted at this time to only rulemaking over lands managed by the DLNR, it sets a dangerous precedent of taking away the rights and abilities of communities and individuals to be involved in the rulemaking process over resources. Giving the Board this amount of discretion to create rules for hunting, may lead to greater discretion in creating rules under other areas of DLNR jurisdiction. We may even have to worry about other agencies requesting the same kind of flexibility.

"The rights of the public to know and to be heard before administrative agencies are important. Because House Bill 2956, H.D. 1, as drafted, erodes these rights, I cannot support this measure at this time."

At 5:19 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:20 o'clock p.m.

The motion was put to vote by the Chair and carried, and H.B. No. 2956, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HUNTING," passed Third Reading by a vote of 41 ayes to 5 noes, with Representatives Belatti, Berg, Carroll, McKelvey and Takamine voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:22 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2355, HD 1
H.B. No. 2243, HD 1
H.B. No. 1975, HD 2
H.B. No. 2874, HD 1
H.B. No. 2956, HD 1

H.B. No. 2732, HD 1:

Representative Caldwell moved that H.B. No. 2732, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you. Mr. Speaker. I'm rising with some serious reservations about this bill. Thank you. This is relating to the Kakaako area and it is taking a present requirement for lower income housing in any residential development from a 20 percent level to a 25 percent level.

"We were told by the people that are the most likely to be able to develop that area that it was, and I quote, "a massive disincentive to develop." So if we haven't been able to develop at the 20 percent level, I don't see how we accomplish getting housing out there for people that need it by raising the percentage to 25 percent. That just doesn't make sense. Thank you."

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise with serious reservations on House Bill 2732, H.D. 1 – Relating to Kakaako. As noted by my earlier comments on House Bill 2807 and the importance of enforcing affordable housing requirements, I am deeply concerned that this bill introduces a new mechanism into Hawaii's marketplace that allows the transfer, crediting or banking, and sale of affordable housing or reserved housing requirements in lieu of the actual building of affordable or reserved housing units. In light of the lack of affordable housing available to our local residents, I am not sure allowing this transfer, crediting or banking, and sale of affordable housing requirements is the right approach to follow."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Over the years, the cost of land and housing in Hawaii has risen to unattainable levels, especially for those members of our community who fall in the low and moderate income levels. The dreams of our residents and the future generations of having their own homes is out of reach.

"Without affordable housing, our future generations will not remain here to help in the building and development of Hawaii's future. I love this land, and aloha is what we perpetuate in our relationship with each other and in the way we've been taught to care for this special place.

"Housing built in the urban core can greatly add to a household's quality of life. With its proximity to retail shopping, restaurants, entertainment, and parks, Kakaako would be fulfilling a vision for a quality urban community. Kakaako is the only urban area that has the infrastructure capacity to accommodate a high density initiative.

"This bill will increase the percentage of area designated as reserved housing and encourage the private sector to develop much needed low, moderate, and workforce housing that will become a livable community and provide housing opportunities for young couples and families.

"By allowing developers to build vertically, the cost per unit can be significantly lowered thereby giving developers the financial incentive needed to undertake the risk of building projects with such affordable housing requirements while simultaneously allowing for more open space.

"With the remaining undeveloped lands in Kakaako, estimated at 100 acres, it would be possible to develop approximately 15,000 affordable housing units or 50 more residential projects."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in favor of HB 2732, HD1 with some strong reservations.

"Mr. Speaker, this bill by changing the rules for particular lots, changes HCDA's plans without deliberating the broader impact of the overall planning context or consequences. This bill fails to recognize that HCDA's reserved housing programs have historically delivered a balanced blend of housing alternatives in Kakaako. Over 27% of housing built in Kakaako since 1982 have targeted those who are in the affordable housing income range. The present rules provide a sufficient mandate for landowners and developers to construct even more additional affordable housing units in Kakaako.

"This bill creates a burdensome requirement for Kakaako by imposing an extraordinarily high reserved housing percentage on a broadened range of development projects.

"With our ever expanding need for affordable housing, we need to make sure we allow the HCDA to be as flexible as possible. I urge my colleagues to work with the HCDA and allow them to continue their redevelopment plan for Kakaako."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 2732, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2204, HD 1:

Representative Caldwell moved that H.B. No. 2204, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in opposition of House Bill 2204.

"There is no reason why government entities should be excluded from the current section of HRS 663-9.5 making gun owners absolutely liable for their actions. I believe government entities should be held to the same standard as private individuals.

"This bill amends HRS 663-9.5 by specifying that "owners shall not include government entities." What about the Police, DLNR Resource Agents, Deputy Sheriffs, etc? They need to be held liable for carelessness or inappropriate accidents involving firearms.

"I believe in the 2nd Amendment right to keep and bear arms and I don't believe we should exempt all government entities from liability."

The motion was put to vote by the Chair and carried, and H.B. No. 2204, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives Finnegan, Marumoto and Meyer voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2391, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2391, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL SERVICE," passed Third Reading by a vote of 43 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Cabanilla, Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2476, HD 1:

Representative Caldwell moved that H.B. No. 2476, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Mr. Speaker, very quickly, in strong support. Dogs provide valuable services to the people. They provide aid, protection to the blind, aid in prosecution, prevention of drug crime, besides providing comfort and companionship. Nationally they aid in national security efforts.

"It's time we respect that dog is man's best friend because the character of the dog has earned it that honor, and this bill will replace the offense of cruelty to animals with a more comprehensive prohibition of dog fighting."

At 5:25 o'clock p.m., Representative Meyer requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:25 o'clock p.m.

Representative Mizuno rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and H.B. No. 2476, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUELTY TO ANIMALS," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2557, HD 1:

Representative Caldwell moved that H.B. No. 2557, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I will rise in support of this measure. Thank you, very much. Everyday we rely on the media for information. Some of the information we get is mundane, and some information is extraordinary. As citizens we rely on newspapers, radio and TV news to keep us in touch with what is going on all around us, and as a result, across the State holds a place of distinction within our democracy. For this reason we should protect the means by which the media obtains information through a journalistic shield law so as to allow our democracy to function as our Founding Fathers intended.

"When there was corruption or illegality afoot, it is oftentime the media that exposes it to the light of day. It is the media that serves as a watch dog for us all by investigating injustices that we either do not see, or do not wish to see. Shield laws help in protecting whistleblowers in fighting crime and rooting out corruption and uncovering cover-ups, such is the importance of our free press. To get that information however, is not always easy. Given the sensitive subject area of some newsworthy stories, it is not surprising that those who go to the media to break a story often do so under the condition that the reporter will not reveal the source of his or her information. Because of the benefit they provide to society I believe that journalists, newscasters and other members of the traditional media should undoubtedly be protected.

"I question however, whether all bloggers should enjoy the protection that the traditional media will have under this proposed bill. Members of the traditional media have professional and ethical standards of ethics to which they must adhere. They are accountable to their editors, as well as to their reading, listening and viewing public. While some bloggers have established reputations and followings, others in contrast, are unknown to their public and are accountable to no one. Because of the ambiguous and varying

standards that bloggers hold themselves to, we should carefully examine whether all bloggers should serve our democracy in the same way as traditional media and are deserving of total immunity under the shield law.

"Although I have not completely resolved the issue of whether all non-traditional reporters and bloggers are deserving of the same treatment, I and Members of this Caucus nonetheless support this bill because we support a robust democracy that our media helps to provide. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure and would like to submit written comments. But I have a few brief comments to commend the Majority Floor Leader for this bill that he introduced, and for the consideration he took in consideration of my bill.

"I think what's being worked on is something that's going to come out somewhere in between with those information overload vis-à-vis bloggers because right now Mr. Speaker, there's probably no perspective you can't get off the Internet. You name it, you can pull it out. And I think we need now more than ever this notion of First Amendment shield law, the freedoms would otherwise have been abused and sometimes government like us will become a bit forceful.

"So this is a very good bill. I hope it moves along, gets polished, get feather-edged and comes out to be a fine piece of work for all of us."

Representative Wards' written remarks are as follows:

"Mr. Speaker, I rise in support for HB2557, HD1, which limits compelled disclosure of sources or unpublished information for journalists, newscasters and persons participating in collection or dissemination of news or information of substantial public interest. This measure is commonly referred to as the "Shield Law."

"Mr. Speaker, this is a very important issue that must be addressed to reinforce the First Amendment Rights of journalists across the media spectra and I authored a similar measure in HB1986.

"I do have a reservation for this measure; however, as it has a rather large loophole that could be used by law enforcement and the Judiciary to compel testimony. As it is currently worded, journalists would be compelled to reveal their sources, "*if the person claiming the privilege has committed, is committing, or is about to commit a crime; is a witness to the commission of a crime, or if in a civil matter, the source or information is necessary or relevant to the claim or defense asserted.*" While well intentioned, this exception would preclude a journalist from receiving any type of information from government sources. For example, as it may be recalled, "Deep-Throat" was violating the law by talking to Woodward and Bernstein as he was revealing classified information. They, in turn, were witnessing the commission of a crime.

"In addition as the bill is currently written, it has not taken into account the change that technology has brought to the profession of journalism. I would recommend that the definition of journalists be expanded to include those whose principal transmission medium is via the Internet.

"Mr. Speaker, freedom of the press is essential to a functioning democracy. A clear shield law is necessary to protect journalists' ability to report on various elements of society, without concern for arrest or detention.

"Mr. Speaker, I support HB2557, HD1 as an excellent start to providing journalists the protection they need to conduct their profession and to protect our democracy."

The motion was put to vote by the Chair and carried, and H.B. No. 2557, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Third Reading by a vote of 45 ayes, with Representatives Cabanilla, Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:31 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2732, HD 1
H.B. No. 2204, HD 1
H.B. No. 2391, HD 1
H.B. No. 2476, HD 1
H.B. No. 2557, HD 1

H.B. No. 3355, HD 1:

Representative Caldwell moved that H.B. No. 3355, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. Mr. Speaker, this bill will permit the investigators of county liquor authorities, the liquor investigators, to possess electric guns.

"There's real concern about that. Number one, just the wisdom of arming liquor inspectors. And the other point is that there have been some number of deaths that are associated with use of these electric guns or taser guns. There's a lack of independent studies on several critical safety issues and the policy allowing the use of those weapons. I think when you involve weapons with alcohol and in that kind of situation, we could be creating more trouble than we could be preventing. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Very quickly, the person that asked me to introduce this bill said that the liquor control investigators currently have the same powers as police officers. So they currently carry guns. He felt that a taser might be a safer way to go. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 3355, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC GUNS," passed Third Reading by a vote of 37 ayes to 9 noes, with Representatives Belatti, Berg, Bertram, Cabanilla, Ching, Finnegan, Green, Meyer and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 1075, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1075, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2920:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2920, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2872:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2872, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:34 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 3355, HD 1
H.B. No. 1075, HD 1
H.B. No. 2920
H.B. No. 2872

H.B. No. 2540, HD 1:

Representative Caldwell moved that H.B. No. 2540, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on SCR No. 869. HB 2540, which provides an income tax and GET exemption to companies that provide potable water.

"According to the Tax Foundation testimony it is unclear who this particular measure would benefit and how the operation is structured. The Tax Foundation went on to testify that a separate nonprofit that has been set up to provide potable water is not what the federal law originally addressed in 501 (c) (12) which applies to benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies, mutual or cooperative telephone or electric companies Ditch and irrigation companies do not provide potable water and, therefore, it is curious to whom this proposal would apply.

"I am also concerned that this bill targets only a small number of businesses because they are considered doing something special. If companies like these are struggling, then they should improve their business plan because I don't think the State can benefit from only helping a few select companies."

The motion was put to vote by the Chair and carried, and H.B. No. 2540, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Berg and Finnegan voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2737, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2737, HD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RESOURCES," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 3259, HD 1:

Representative Caldwell moved that H.B. No. 3259, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and H.B. No. 3259, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ALA WAI WATERSHED," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2099, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2099, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Third Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 2942, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 2942, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Pine and Ward voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

H.B. No. 266, HD 2:

Representative Caldwell moved that H.B. No. 266, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Sonson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I'd like to ask for ruling on a potential conflict. At my law firm we do represent OHA on certain matters, but nothing related to this bill. Thank you," and the Chair ruled, "no conflict."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. The purpose of this bill is to most effectively and responsibly meet the State's constitutional obligations to Native Hawaiians with regard to the benefits from the lands in the public trust referred to in Article XII, Sections 4 and 6, of the Hawaii Constitution (public trust lands). Among other things, this bill:

1. Conveys certain parcels of land in Kakaako Makai and Kalaeloa Makai on Oahu and on Hilo Banyan Drive on the Island of Hawaii, and pays $13,189,860 to the Office of Hawaiian Affairs (OHA) for the period from November 7, 1978, to July 1, 2008, as a result of a re-examination of the State's constitutional obligation to native Hawaiians;

2. Establishes a method for determining for each fiscal biennium, beginning in fiscal biennium 2009-2011, the amount of income and proceeds that OHA is to receive from the public trust lands;

3. Finds that the amount of income and proceeds OHA is to receive from the public trust lands for fiscal year 2008-2009 is $15,100,000 and mandating the disbursement of the sum to OHA;

4. Authorizes the Chairperson of OHA to appoint an additional member to the Hawaii Community Development Authority (HCDA); and

5. Exempts the Kakaako Makai lands conveyed to OHA from certain powers that HCDA has over those lands.

"Thank you."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in support with reservations on this bill relating to Hawaiian Affairs. I am glad to see that the Governor and OHA have come to an agreement to settle a long standing dispute over land and payments due from the State to OHA.

"However, I do have some reservations on this bill. I am worried that the State may be giving up important land that could be used for other things. The state has spent over $200 million to improve the Kakaako and Kewalo Basin area. According to the settlement, I believe the price put on the property is too low. We should look at using other lands for the settlement because we have invested such a large sum of taxpayer dollars to improve this area and there are other lands that are considered more important to Native Hawaiians than the Kakaako lands."

The motion was put to vote by the Chair and carried, and H.B. No. 266, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN AFFAIRS," passed Third Reading by a vote of 44 ayes to 2 noes, with Representatives Luke and Takamine voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:38 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2540, HD 1
H.B. No. 2737, HD 1
H.B. No. 3259, HD 1
H.B. No. 2099, HD 1
H.B. No. 2942, HD 1
H.B. No. 266, HD 2

At 5:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:52 o'clock p.m., with the Speaker presiding.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 876-08) recommending that H.B. No. 2350, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2350, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. Mr. Speaker the district that I represent is known for its boulders rolling down the hill, going through houses, sometimes injuring people and property as a regular occurrence. This bill would then excuse that occurrence and say that, 'Well it's your fault that you live underneath these natural conditions.'

"I believe this is a cop-out, it's unfair and it's dangerous the way that we're going to let what otherwise, if you're a big land owner and own the mountains you would think that the liability for those that are below would be something you would want to be cognizant of. But this bill says, 'Hey, free ride. Don't worry about it'.

"So I think this is bad policy, and I hope as this is First Crossover that as we crossover this thing over, it will be crossed out."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in strong opposition. Let me just say that first of all, can I have the words of the previous speaker adopted as if they were my own, minus the boulders crashing into the houses.

"Also let me note that for Maui Meadows, we just had the floods there and a big land owners have had boulders and mud and debris wipe several people's houses out. Under this bill, they would have no recourse. So I have to oppose this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2350, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS," passed Third Reading by a vote of 33 ayes to 13 noes, with Representatives Belatti, Berg, Ching, Finnegan, Marumoto, McKelvey, Morita, Pine, Saiki, Sonson, Thielen, Wakai and Ward voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:56 o'clock p.m., the Chair noted that H.B. No. 2350, HD 2, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1020-08) recommending that H.B. No. 2823, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2823, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DAM SAFETY," passed Third Reading by a vote of 40 ayes to 6 noes, with Representatives Finnegan, McKelvey, Pine, Saiki, Sonson and Thielen voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:58 o'clock p.m., the Chair noted that H.B. No. 2823, HD 2, passed Third Reading.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1039-08) recommending that H.B. No. 3440, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 1039-08, that H.B. No. 3440, HD 2, be recommitted to the Committee on Finance, seconded by Representative B. Oshiro.

[Note: Floor Amendment No. 2 was received and subsequently withdrawn before being offered.]

The motion was put to vote by the Chair and carried, and H.B. No. 3440, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISLAND OF NI‘IHAU," was recommitted to the Committee on Finance, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1041-08) recommending that H.B. No. 466, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 466, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Pine asked that the remarks of Representative Sonson on Second Reading be entered in the Journal as her own. (By reference only.)

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to House Bill 466.

"I am in strong opposition to this measure because it does not leave any room for a moral exemption. Because of its religious tenets, St. Francis Healthcare System does not provide abortion services, including "emergency contraception" which may induce early abortion. Although St. Francis no longer operates its two medical centers, the Sisters continue to maintain its religious tenets and therefore, including these tenets as a condition of the sale and lease of the land under the two medical centers. As part of the purchase agreement, Hawaii Medical Center has agreed to comply with the Ethical and Religious Directives for Catholic Health Care Services. I think this agreement should be observed because the people at the Hawaii Medical Center testified they would transport patients who wanted the "morning after" pill to other hospitals at the hospital's expense so they could receive the treatment. I think forcing a hospital to commit to a procedure they find "morally wrong" is not right, and then fining them is unconscionable.

"I do support requiring hospitals to provide education on all options available to a patient, but I do not support requiring hospitals to perform procedures that are against their religious beliefs."

Representative Ward rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my opposition to House Bill 466, which would force all of Hawaii's hospitals, including Catholic hospitals against their religious beliefs to provide emergency contraception for sexual assault, to provide emergency contraception services.

"House Bill 466 would force all medical staff to offer information regarding emergency contraception and provide these procedures, even if a staff member opposes such practices on religious grounds. Undoubtedly, incidents of sexual assault are terrible events, in which perpetrators should be brought to justice and victims should receive very extensive physical and emotional care.

"However, those who are treating these victims should not be forced to violate their religious beliefs. For medical staff members or religious medical centers that oppose emergency contraceptive measures, this bill is tantamount to a denial of religious freedom; without a religious exemption, it violates the First Amendment of the Constitution, specifically the Free Exercise Clause. The fairest thing that can be done with this bill is to exempt the Hawaii Medical Center which is in an operational agreement with St. Francis Hospitals and holds strong religious beliefs as an institution and by its nuns who work at the hospital.

"Once again, I oppose this bill as is it written, without exemptions for those who oppose emergency contraceptive procedures on religious grounds.

"Thank you for this opportunity to offer my opposition to this measure."

Representative Yamane rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict. I'm a social worker that works in the emergency room. Thank you," and the Chair ruled, "no conflict."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HB466, HD1, which would require hospital emergency rooms to provide medically accurate information on emergency contraception to survivors of sexual assault and to offer emergency contraception (EC) if requested.

"Mr. Speaker, I believe this is not only a patients' rights issue, but also an issue of victims' rights.

"When a victim of a violent crime that results in physical injury is seeking medical attention, the system should do everything possible to respond, and do everything that is medically necessary. There should be no question about this.

"Why then are we having this debate? Has sexual violence against women become acceptable in our society? Does the sometimes negative treatment rape victims receive indicate the underlying assumption that perhaps the victim was at fault in some way?

"Sexual assault, or rape, is a crime that is violent, traumatic and the ultimate intimate violation, in which a woman loses all her sense of personal control, decision making and dignity. Physically and psychologically, she is ripped apart.

"So what are the responsibilities of healers to this victim? She must be informed about procedures being followed to ease her pain, provided information critical to decisions regarding her injuries, be informed of the risk of sexually transmitted disease, asked to provide evidence that she may have been given substances without her knowledge before the assault and given honest information about the risks of possible pregnancy. She should also be offered emergency contraception.

"No providers of any kind of care have the right to make decisions for her about health care treatment related to the rape – or to withhold information that would allow her to make an informed decision. No one has the right to refuse to provide emergency contraception.

"Some may confuse RU486 with emergency contraception. This is unfortunate. Emergency contraception is a safe, effective back up birth control method that can prevent pregnancy after unprotected intercourse. Emergency contraceptive pills contain high dosages of the same hormones found in daily birth control pills-estrogen and progestin. RU486 is a completely different drug. EC helps to prevent pregnancy while Mifeprex RU486 terminates pregnancy. The fact is – EC helps to reduce the need for abortion.

"Across the nation more than 212 Catholic non-profit hospitals dispense EC to rape victims. A for profit corporation seeking a religious exemption would not qualify under the standard set in Hawaii related to contraceptive services, and surely would not be exempt if seeking public funds.

"However, the public policy issue we face here today is that the victims of sexual assault deserve the fullest and best care available. The public policy we endorse in this bill is the assurance that all hospital emergency personnel are properly trained in handling the special needs of these victims. The public policy here is a patient's right to self-determination in the exercise of control over her own

body, and to determine whether or not to accept lawful medical treatment."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 466, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 39 ayes to 7 noes, with Representatives Ching, Finnegan, Manahan, Meyer, Pine, Sonson and Ward voting no, and with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 5:59 o'clock p.m., the Chair noted that H.B. No. 466, HD 1, passed Third Reading.

H.B. No. 1758, HD 1:

By unanimous consent, action was deferred one legislative day.

H.B. No. 3041, HD 1:

By unanimous consent, action was deferred one legislative day.

FINAL READING

H.B. No. 987, H.D. 1, S.D. 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 987, H.D. 1 and H.B. No. 987, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO POLICE OFFICERS," passed Final Reading by a vote of 46 ayes, with Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai being excused.

At 6:01 o'clock p.m., the Chair noted that H.B. No. 987, HD 1, SD 2, passed Final Reading.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 107 through 111) and concurrent resolutions (H.C.R. Nos. 125 through 129) were referred to Printing and further action was deferred:

H.R. No. 107, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was jointly offered by Representatives Brower, Awana, Cabanilla, Ching, Finnegan, Green, Hanohano, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Pine, Sagum, Say, Shimabukuro, Takai, Thielen, Tsuji, Wakai, Ward, Yamane, Belatti, Berg, Bertram, Carroll, Chang, Chong, Evans, Har, Herkes, Nakasone, Rhoads, Saiki, Sonson, Souki, Takamine, Takumi, Tokioka, Waters and Yamashita.

H.R. No. 108, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," was jointly offered by Representatives Takamine, Chang, Evans, Herkes and Tsuji.

H.R. No. 109, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY," was offered by Representative Berg.

H.R. No. 110, entitled: "HOUSE RESOLUTION SUPPORTING FEDERAL FINANCIAL ASSISTANCE FOR PERSONS PRESENT IN THE UNITED STATES UNDER THE COMPACTS OF FREE ASSOCIATION," was jointly offered by Representatives Wakai, Brower, Manahan, McKelvey, Ward, Yamane, Yamashita and Chong.

H.R. No. 111, entitled: "HOUSE RESOLUTION REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING," was jointly offered by Representatives Wakai, Brower, Manahan, McKelvey, Pine, Ward, Yamashita, Chong and Yamane.

H.C.R. No. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was jointly offered by Representatives Brower, Awana, Bertram, Cabanilla, Ching, Finnegan, Green, Hanohano, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, Marumoto, McKelvey, Meyer, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Sagum, Say, Shimabukuro, Takai, Thielen, Tsuji, Wakai, Ward, Yamane, Belatti, Berg, Carroll, Chang, Chong, Evans, Har, Herkes, Nakasone, Pine, Rhoads, Saiki, Sonson, Souki, Takamine, Takumi, Tokioka, Waters and Yamashita.

H.C.R. No. 126, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," was jointly offered by Representatives Takamine, Chang, Evans, Herkes and Tsuji.

H.C.R. No. 127, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY," was offered by Representative Berg.

H.C.R. No. 128, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL FINANCIAL ASSISTANCE FOR PERSONS PRESENT IN THE UNITED STATES UNDER THE COMPACTS OF FREE ASSOCIATION," was jointly offered by Representatives Wakai, Brower, Manahan, McKelvey, Ward, Yamane, Yamashita and Chong.

H.C.R. No. 129, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING," was jointly offered by Representatives Wakai, Brower, Manahan, McKelvey, Pine, Ward, Yamane, Yamashita and Chong.

ANNOUNCEMENTS

Representative Caldwell: "Mr. Speaker, on behalf of the Caucus I'd like to thank everyone for their cooperation in working with the Consent Calendar. I know it's still a work in progress, but I think we're getting better at it. I want to thank the Minority for cooperating with us, particularly the Minority Leader. Thank you."

Representative Meyer: "Thank you, Mr. Speaker. I'd like to on behalf of our Caucus, thank you for your hospitality and the wonderful lunch that you've provided. We appreciate it very much."

Representative Evans: "Mr. Speaker, thank you. Tomorrow is a recess day, but we have two big events in the State Capitol. We have the Historic Preservation Awareness Day, and we have the Hawaii Science and Technology Day here at the State Capitol. So there will

be a lot of exhibits, and a lot of opportunities to mingle and have a lot of fun. Thank you."

Representative Waters: "Thank you, Mr. Speaker. At the appropriate time, could we have a moment of silence for the death of tort reform?"

Speaker Say: "No, we will not."

ADJOURNMENT

At 6:03 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 6, 2008. (Representatives Magaoay, Nakasone, Nishimoto, Souki and Takai were excused.)

TWENTY-SIXTH DAY

Thursday, March 6, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Finnegan, Nakasone, Takamine and Thielen, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Eighteenth, Nineteenth, Twentieth and Twenty-First Days were approved. (Representatives Cabanilla, Finnegan, Nakasone and Thielen were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 52 through 360) were received and announced by the Clerk:

Sen. Com. No. 52, transmitting S.B. No. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 53, transmitting S.B. No. 45, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 54, transmitting S.B. No. 146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 55, transmitting S.B. No. 409, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 56, transmitting S.B. No. 591, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 57, transmitting S.B. No. 788, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 58, transmitting S.B. No. 868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 59, transmitting S.B. No. 1368, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 60, transmitting S.B. No. 1487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 61, transmitting S.B. No. 1488, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 62, transmitting S.B. No. 1789, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CABLE TELEVISION SYSTEMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 63, transmitting S.B. No. 2004, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 64, transmitting S.B. No. 2009, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GAMBLING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 65, transmitting S.B. No. 2026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 66, transmitting S.B. No. 2035, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 67, transmitting S.B. No. 2039, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 68, transmitting S.B. No. 2040, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 69, transmitting S.B. No. 2047, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 70, transmitting S.B. No. 2054, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 71, transmitting S.B. No. 2055, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 72, transmitting S.B. No. 2063, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NOISE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 73, transmitting S.B. No. 2064, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 74, transmitting S.B. No. 2065, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANDOWNER LIABILITY FOR NATURAL CONDITIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 75, transmitting S.B. No. 2080, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 76, transmitting S.B. No. 2081, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PENAL CODE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 77, transmitting S.B. No. 2082, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 78, transmitting S.B. No. 2083, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF

ADULT OFFENDERS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 79, transmitting S.B. No. 2088, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 80, transmitting S.B. No. 2094, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 81, transmitting S.B. No. 2104, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 82, transmitting S.B. No. 2129, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 83, transmitting S.B. No. 2146, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 84, transmitting S.B. No. 2150, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 85, transmitting S.B. No. 2151, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 86, transmitting S.B. No. 2153, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 87, transmitting S.B. No. 2154, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A PILOT COMMUNITY CONSERVATION PROGRAM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 88, transmitting S.B. No. 2155, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 89, transmitting S.B. No. 2156, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 90, transmitting S.B. No. 2157, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 91, transmitting S.B. No. 2159, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 92, transmitting S.B. No. 2160, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 93, transmitting S.B. No. 2163, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 94, transmitting S.B. No. 2164, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 95, transmitting S.B. No. 2170, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 96, transmitting S.B. No. 2174, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 97, transmitting S.B. No. 2189, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 98, transmitting S.B. No. 2191, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 99, transmitting S.B. No. 2192, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 100, transmitting S.B. No. 2196, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 101, transmitting S.B. No. 2198, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 102, transmitting S.B. No. 2201, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 103, transmitting S.B. No. 2204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 104, transmitting S.B. No. 2212, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 105, transmitting S.B. No. 2214, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 106, transmitting S.B. No. 2215, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MEAT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 107, transmitting S.B. No. 2218, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 108, transmitting S.B. No. 2219, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 109, transmitting S.B. No. 2233, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 110, transmitting S.B. No. 2245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 111, transmitting S.B. No. 2246, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 112, transmitting S.B. No. 2254, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 113, transmitting S.B. No. 2258, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 BOARD," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 114, transmitting S.B. No. 2262, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 115, transmitting S.B. No. 2263, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 116, transmitting S.B. No. 2273, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 117, transmitting S.B. No. 2293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 118, transmitting S.B. No. 2294, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 119, transmitting S.B. No. 2295, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC MEETINGS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 120, transmitting S.B. No. 2301, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 121, transmitting S.B. No. 2313, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 122, transmitting S.B. No. 2315, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 123, transmitting S.B. No. 2333, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 124, transmitting S.B. No. 2334, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 125, transmitting S.B. No. 2341, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 126, transmitting S.B. No. 2342, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 127, transmitting S.B. No. 2344, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 128, transmitting S.B. No. 2345, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 129, transmitting S.B. No. 2363, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 130, transmitting S.B. No. 2366, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATEWIDE TRAFFIC CODE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 131, transmitting S.B. No. 2373, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 132, transmitting S.B. No. 2394, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 133, transmitting S.B. No. 2395, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 134, transmitting S.B. No. 2396, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 135, transmitting S.B. No. 2397, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 136, transmitting S.B. No. 2400, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 137, transmitting S.B. No. 2414, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 138, transmitting S.B. No. 2421, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 139, transmitting S.B. No. 2423, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 140, transmitting S.B. No. 2425, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 141, transmitting S.B. No. 2433, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 142, transmitting S.B. No. 2434, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 143, transmitting S.B. No. 2435, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED

COMMUNITY REHABILITATION PROGRAMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 144, transmitting S.B. No. 2436, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 145, transmitting S.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 146, transmitting S.B. No. 2447, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 147, transmitting S.B. No. 2449, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 148, transmitting S.B. No. 2455, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 149, transmitting S.B. No. 2456, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 150, transmitting S.B. No. 2458, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL IMPERSONATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 151, transmitting S.B. No. 2459, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 152, transmitting S.B. No. 2464, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 153, transmitting S.B. No. 2465, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MONK SEAL DAY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 154, transmitting S.B. No. 2467, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO ASSIST AGRICULTURAL AND AQUACULTURAL INDUSTRIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 155, transmitting S.B. No. 2474, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL CLAIMS COURT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 156, transmitting S.B. No. 2480, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 157, transmitting S.B. No. 2482, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAI‘I INSTITUTE OF MARINE BIOLOGY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 158, transmitting S.B. No. 2486, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WATER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 159, transmitting S.B. No. 2487, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 160, transmitting S.B. No. 2493, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 161, transmitting S.B. No. 2498, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO A MAKAHIKI DAY COMMEMORATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 162, transmitting S.B. No. 2499, entitled: "A BILL FOR AN ACT RELATING TO TARO," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 163, transmitting S.B. No. 2501, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 164, transmitting S.B. No. 2524, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 165, transmitting S.B. No. 2526, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 166, transmitting S.B. No. 2528, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 167, transmitting S.B. No. 2529, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 168, transmitting S.B. No. 2530, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 169, transmitting S.B. No. 2535, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 170, transmitting S.B. No. 2542, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 171, transmitting S.B. No. 2545, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 172, transmitting S.B. No. 2546, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 173, transmitting S.B. No. 2554, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 174, transmitting S.B. No. 2555, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 175, transmitting S.B. No. 2556, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 176, transmitting S.B. No. 2557, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURIAL SITES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 177, transmitting S.B. No. 2562, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 178, transmitting S.B. No. 2569, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 179, transmitting S.B. No. 2571, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 180, transmitting S.B. No. 2579, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 181, transmitting S.B. No. 2583, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 182, transmitting S.B. No. 2584, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HONEY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 183, transmitting S.B. No. 2594, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 184, transmitting S.B. No. 2605, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 185, transmitting S.B. No. 2615, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GRANTS AND SUBSIDIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 186, transmitting S.B. No. 2623, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 187, transmitting S.B. No. 2624, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 188, transmitting S.B. No. 2627, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COPPER PURCHASES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 189, transmitting S.B. No. 2630, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 190, transmitting S.B. No. 2639, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 191, transmitting S.B. No. 2644, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 192, transmitting S.B. No. 2646, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 193, transmitting S.B. No. 2652, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 194, transmitting S.B. No. 2660, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 195, transmitting S.B. No. 2663, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 196, transmitting S.B. No. 2668, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 197, transmitting S.B. No. 2673, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 198, transmitting S.B. No. 2677, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 199, transmitting S.B. No. 2680, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 200, transmitting S.B. No. 2710, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 201, transmitting S.B. No. 2711, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTEGRATED SOLID WASTE MANAGEMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 202, transmitting S.B. No. 2715, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 203, transmitting S.B. No. 2720, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 204, transmitting S.B. No. 2727, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 205, transmitting S.B. No. 2730, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 206, transmitting S.B. No. 2733, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC TRUST LANDS SETTLEMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 207, transmitting S.B. No. 2739, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE MAKENA-KEONEOIO GOVERNMENT ROAD," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 208, transmitting S.B. No. 2745, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DEFAMATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 209, transmitting S.B. No. 2748, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 210, transmitting S.B. No. 2764, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ETHANOL FACILITY TAX CREDIT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 211, transmitting S.B. No. 2768, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 212, transmitting S.B. No. 2770, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 213, transmitting S.B. No. 2774, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 214, transmitting S.B. No. 2779, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 215, transmitting S.B. No. 2780, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 216, transmitting S.B. No. 2782, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 217, transmitting S.B. No. 2783, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 218, transmitting S.B. No. 2784, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 219, transmitting S.B. No. 2785, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 220, transmitting S.B. No. 2790, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 221, transmitting S.B. No. 2803, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 222, transmitting S.B. No. 2804, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 223, transmitting S.B. No. 2808, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 224, transmitting S.B. No. 2816, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 225, transmitting S.B. No. 2817, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HONOLUA BAY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 226, transmitting S.B. No. 2818, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 227, transmitting S.B. No. 2822, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO NON-SCHOOL-HOUR PROGRAMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 228, transmitting S.B. No. 2824, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 229, transmitting S.B. No. 2826, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 230, transmitting S.B. No. 2828, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 231, transmitting S.B. No. 2829, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 232, transmitting S.B. No. 2830, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 233, transmitting S.B. No. 2831, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 234, transmitting S.B. No. 2832, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 235, transmitting S.B. No. 2833, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 236, transmitting S.B. No. 2835, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 237, transmitting S.B. No. 2836, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ACCESS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 238, transmitting S.B. No. 2837, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 239, transmitting S.B. No. 2838, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 240, transmitting S.B. No. 2839, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 241, transmitting S.B. No. 2840, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 242, transmitting S.B. No. 2842, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 243, transmitting S.B. No. 2843, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 244, transmitting S.B. No. 2845, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 245, transmitting S.B. No. 2847, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 246, transmitting S.B. No. 2849, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 247, transmitting S.B. No. 2850, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 248, transmitting S.B. No. 2857, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 249, transmitting S.B. No. 2860, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO A TECHNOLOGY MASTER PLAN," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 250, transmitting S.B. No. 2864, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 251, transmitting S.B. No. 2867, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 252, transmitting S.B. No. 2868, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 253, transmitting S.B. No. 2871, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 254, transmitting S.B. No. 2877, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 255, transmitting S.B. No. 2878, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 256, transmitting S.B. No. 2879, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 257, transmitting S.B. No. 2882, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 258, transmitting S.B. No. 2886, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 259, transmitting S.B. No. 2887, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO NATIVE HAWAIIANS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 260, transmitting S.B. No. 2891, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 261, transmitting S.B. No. 2895, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 262, transmitting S.B. No. 2896, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 263, transmitting S.B. No. 2898, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 264, transmitting S.B. No. 2901, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VETERANS CEMETERIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 265, transmitting S.B. No. 2905, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 266, transmitting S.B. No. 2907, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE PASTORAL AND AGRICULTURAL HOMESTEADING DIVISION OF THE DEPARTMENT OF HAWAIIAN HOME LANDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 267, transmitting S.B. No. 2913, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 268, transmitting S.B. No. 2915, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 269, transmitting S.B. No. 2932, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE TAX," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 270, transmitting S.B. No. 2933, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 271, transmitting S.B. No. 2956, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 272, transmitting S.B. No. 2958, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 273, transmitting S.B. No. 2961, S.D. 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 274, transmitting S.B. No. 2962, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 275, transmitting S.B. No. 2977, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 276, transmitting S.B. No. 2983, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO COMMUNITY-BASED ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 277, transmitting S.B. No. 2984, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER LOANS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 278, transmitting S.B. No. 2986, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 279, transmitting S.B. No. 2991, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 280, transmitting S.B. No. 2997, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 281, transmitting S.B. No. 3001, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 282, transmitting S.B. No. 3002, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 283, transmitting S.B. No. 3004, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 284, transmitting S.B. No. 3005, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 285, transmitting S.B. No. 3006, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 286, transmitting S.B. No. 3008, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 287, transmitting S.B. No. 3009, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 288, transmitting S.B. No. 3010, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RESIDENTIAL MORTGAGE PRACTICES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 289, transmitting S.B. No. 3011, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 290, transmitting S.B. No. 3015, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 291, transmitting S.B. No. 3016, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 292, transmitting S.B. No. 3017, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 293, transmitting S.B. No. 3018, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 294, transmitting S.B. No. 3019, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 295, transmitting S.B. No. 3020, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 296, transmitting S.B. No. 3023, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 297, transmitting S.B. No. 3025, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 298, transmitting S.B. No. 3026, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE PREVENTION OF MORTGAGE RESCUE FRAUD," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 299, transmitting S.B. No. 3027, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 300, transmitting S.B. No. 3030, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 301, transmitting S.B. No. 3031, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING

OPTICIANS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 302, transmitting S.B. No. 3034, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL DEFENSE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 303, transmitting S.B. No. 3048, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 304, transmitting S.B. No. 3051, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 305, transmitting S.B. No. 3060, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY EVICTIONS BOARDS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 306, transmitting S.B. No. 3068, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 307, transmitting S.B. No. 3069, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 308, transmitting S.B. No. 3070, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 309, transmitting S.B. No. 3071, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 310, transmitting S.B. No. 3072, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 311, transmitting S.B. No. 3073, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 312, transmitting S.B. No. 3074, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 313, transmitting S.B. No. 3075, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 314, transmitting S.B. No. 3076, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 315, transmitting S.B. No. 3077, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 316, transmitting S.B. No. 3078, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKSITE WELLNESS PROGRAMS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 317, transmitting S.B. No. 3080, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 318, transmitting S.B. No. 3082, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 319, transmitting S.B. No. 3083, S.D. 2, 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 4, 2008.

Sen. Com. No. 320, transmitting S.B. No. 3087, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 321, transmitting S.B. No. 3092, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 322, transmitting S.B. No. 3102, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 323, transmitting S.B. No. 3103, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 324, transmitting S.B. No. 3105, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 325, transmitting S.B. No. 3115, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC TAX ADMINISTRATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 326, transmitting S.B. No. 3119, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 327, transmitting S.B. No. 3137, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR AKULE FISH MONITORING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 328, transmitting S.B. No. 3138, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 329, transmitting S.B. No. 3146, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 330, transmitting S.B. No. 3149, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 331, transmitting S.B. No. 3151, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 332, transmitting S.B. No. 3165, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 333, transmitting S.B. No. 3166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 334, transmitting S.B. No. 3167, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 335, transmitting S.B. No. 3168, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 336, transmitting S.B. No. 3171, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 337, transmitting S.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 338, transmitting S.B. No. 3174, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 339, transmitting S.B. No. 3182, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EXTENDED SENTENCING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 340, transmitting S.B. No. 3185, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 341, transmitting S.B. No. 3197, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO IMMIGRATION CONSULTANTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 342, transmitting S.B. No. 3200, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 343, transmitting S.B. No. 3202, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 344, transmitting S.B. No. 3203, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 345, transmitting S.B. No. 3204, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO POST CONVICTION PROCEEDINGS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 346, transmitting S.B. No. 3206, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 347, transmitting S.B. No. 3215, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 348, transmitting S.B. No. 3221, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE COCO PALMS RESORT," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 349, transmitting S.B. No. 3225, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FISHING," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 350, transmitting S.B. No. 3227, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 351, transmitting S.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 352, transmitting S.B. No. 3234, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 353, transmitting S.B. No. 3245, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 354, transmitting S.B. No. 3250, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 355, transmitting S.B. No. 3252, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 356, transmitting S.B. No. 3255, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 357, transmitting S.B. No. 3257, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 358, transmitting S.B. No. 3258, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS," which passed Third Reading in the Senate on March 4, 2008.

Sen. Com. No. 360, transmitting S.B. No. 3050, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," which passed Third Reading in the Senate on March 4, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bills passed First Reading by title and further action was deferred:

(Representatives Cabanilla, Finnegan, Nakasone and Thielen were excused.)

S.B. No. 3, SD 1
S.B. No. 45, SD 1
S.B. No. 146, SD 1
S.B. No. 409, SD 2
S.B. No. 591, SD 3
S.B. No. 788, SD 2
S.B. No. 868, SD 2
S.B. No. 1368, SD 2
S.B. No. 1487, SD 2
S.B. No. 1488, SD 1
S.B. No. 1789, SD 2
S.B. No. 2004, SD 2
S.B. No. 2009, SD 1
S.B. No. 2026, SD 2
S.B. No. 2035, SD 1
S.B. No. 2039, SD 1
S.B. No. 2040, SD 1
S.B. No. 2047, SD 3
S.B. No. 2054, SD 2
S.B. No. 2055, SD 2
S.B. No. 2063, SD 1
S.B. No. 2064, SD 1
S.B. No. 2065, SD 2
S.B. No. 2080, SD 2
S.B. No. 2081, SD 1
S.B. No. 2082, SD 2
S.B. No. 2083, SD 2
S.B. No. 2088, SD 1
S.B. No. 2094, SD 2
S.B. No. 2104, SD 1
S.B. No. 2129, SD 2
S.B. No. 2146, SD 2
S.B. No. 2150, SD 2
S.B. No. 2151, SD 2
S.B. No. 2153, SD 1
S.B. No. 2154, SD 1
S.B. No. 2155, SD 1
S.B. No. 2156, SD 1
S.B. No. 2157, SD 1
S.B. No. 2159
S.B. No. 2160, SD 2
S.B. No. 2163, SD 1
S.B. No. 2164, SD 3
S.B. No. 2170, SD 1
S.B. No. 2174
S.B. No. 2189, SD 1
S.B. No. 2191, SD 2
S.B. No. 2192, SD 2
S.B. No. 2196, SD 2
S.B. No. 2198, SD 2
S.B. No. 2201, SD 1
S.B. No. 2204, SD 1
S.B. No. 2212, SD 1
S.B. No. 2214, SD 2
S.B. No. 2215, SD 2
S.B. No. 2218, SD 1
S.B. No. 2219, SD 2
S.B. No. 2233, SD 1
S.B. No. 2245, SD 1
S.B. No. 2246, SD 2
S.B. No. 2254
S.B. No. 2258, SD 1
S.B. No. 2262, SD 1
S.B. No. 2263, SD 2
S.B. No. 2273, SD 2
S.B. No. 2293, SD 1
S.B. No. 2294, SD 2
S.B. No. 2295, SD 1
S.B. No. 2301, SD 1
S.B. No. 2313, SD 1
S.B. No. 2315, SD 2
S.B. No. 2333, SD 2
S.B. No. 2334, SD 2
S.B. No. 2341, SD 1
S.B. No. 2342, SD 2
S.B. No. 2344, SD 1
S.B. No. 2345, SD 1
S.B. No. 2363, SD 2
S.B. No. 2366, SD 2
S.B. No. 2373, SD 1
S.B. No. 2394
S.B. No. 2395, SD 2
S.B. No. 2396, SD 1
S.B. No. 2397, SD 2
S.B. No. 2400, SD 1
S.B. No. 2414, SD 1
S.B. No. 2421, SD 2
S.B. No. 2423, SD 2
S.B. No. 2425, SD 1
S.B. No. 2433, SD 2
S.B. No. 2434
S.B. No. 2435, SD 2
S.B. No. 2436, SD 1
S.B. No. 2441
S.B. No. 2447
S.B. No. 2449, SD 2
S.B. No. 2455, SD 2
S.B. No. 2456, SD 2
S.B. No. 2458, SD 2
S.B. No. 2459, SD 2
S.B. No. 2464
S.B. No. 2465
S.B. No. 2467, SD 2
S.B. No. 2474, SD 1
S.B. No. 2480, SD 2
S.B. No. 2482, SD 2
S.B. No. 2486, SD 2
S.B. No. 2487, SD 2
S.B. No. 2493
S.B. No. 2498, SD 1
S.B. No. 2499
S.B. No. 2501, SD 2
S.B. No. 2524, SD 2
S.B. No. 2526, SD 1
S.B. No. 2528, SD 2
S.B. No. 2529, SD 1
S.B. No. 2530, SD 2
S.B. No. 2535, SD 1
S.B. No. 2542, SD 2
S.B. No. 2545
S.B. No. 2546, SD 2
S.B. No. 2554, SD 2
S.B. No. 2555, SD 2
S.B. No. 2556, SD 1
S.B. No. 2557, SD 1
S.B. No. 2562, SD 1
S.B. No. 2569
S.B. No. 2571, SD 1
S.B. No. 2579, SD 2
S.B. No. 2583, SD 1
S.B. No. 2584, SD 2
S.B. No. 2594, SD 1
S.B. No. 2605, SD 1
S.B. No. 2615, SD 1
S.B. No. 2623
S.B. No. 2624, SD 1
S.B. No. 2627, SD 1
S.B. No. 2630, SD 2
S.B. No. 2639, SD 1
S.B. No. 2644, SD 1
S.B. No. 2646, SD 2
S.B. No. 2652, SD 2
S.B. No. 2660, SD 3

S.B. No. 2663, SD 2
S.B. No. 2668, SD 2
S.B. No. 2673, SD 2
S.B. No. 2677
S.B. No. 2680
S.B. No. 2710, SD 2
S.B. No. 2711, SD 2
S.B. No. 2715, SD 1
S.B. No. 2720, SD 2
S.B. No. 2727, SD 2
S.B. No. 2730, SD 2
S.B. No. 2733, SD 2
S.B. No. 2739, SD 2
S.B. No. 2745, SD 1
S.B. No. 2748, SD 1
S.B. No. 2764, SD 3
S.B. No. 2768, SD 2
S.B. No. 2770, SD 1
S.B. No. 2774, SD 2
S.B. No. 2779
S.B. No. 2780, SD 2
S.B. No. 2782, SD 2
S.B. No. 2783, SD 2
S.B. No. 2784, SD 1
S.B. No. 2785, SD 1
S.B. No. 2790, SD 2
S.B. No. 2803, SD 1
S.B. No. 2804, SD 1
S.B. No. 2808, SD 2
S.B. No. 2816, SD 1
S.B. No. 2817, SD 2
S.B. No. 2818, SD 2
S.B. No. 2822, SD 2
S.B. No. 2824, SD 2
S.B. No. 2826, SD 2
S.B. No. 2828, SD 2
S.B. No. 2829, SD 2
S.B. No. 2830, SD 2
S.B. No. 2831, SD 1
S.B. No. 2832, SD 2
S.B. No. 2833, SD 1
S.B. No. 2835, SD 1
S.B. No. 2836, SD 1
S.B. No. 2837, SD 1
S.B. No. 2838, SD 2
S.B. No. 2839, SD 2
S.B. No. 2840, SD 2
S.B. No. 2842, SD 2
S.B. No. 2843, SD 2
S.B. No. 2845, SD 2
S.B. No. 2847
S.B. No. 2849, SD 1
S.B. No. 2850, SD 2
S.B. No. 2857, SD 2
S.B. No. 2860, SD 2
S.B. No. 2864, SD 2
S.B. No. 2867, SD 2
S.B. No. 2868, SD 2
S.B. No. 2871, SD 2
S.B. No. 2877, SD 2
S.B. No. 2878, SD 2
S.B. No. 2879, SD 2
S.B. No. 2882, SD 1
S.B. No. 2886, SD 1
S.B. No. 2887, SD 1
S.B. No. 2891, SD 1
S.B. No. 2895, SD 1
S.B. No. 2896, SD 2
S.B. No. 2898, SD 1
S.B. No. 2901, SD 1
S.B. No. 2905, SD 2
S.B. No. 2907, SD 1
S.B. No. 2913, SD 2
S.B. No. 2915, SD 2
S.B. No. 2932, SD 3
S.B. No. 2933, SD 2
S.B. No. 2956, SD 1
S.B. No. 2958, SD 1
S.B. No. 2961, SD 2
S.B. No. 2962, SD 1
S.B. No. 2977, SD 1
S.B. No. 2983, SD 2
S.B. No. 2984, SD 2
S.B. No. 2986, SD 2
S.B. No. 2991, SD 2
S.B. No. 2997, SD 1
S.B. No. 3001, SD 2
S.B. No. 3002, SD 1
S.B. No. 3004, SD 2
S.B. No. 3005, SD 2
S.B. No. 3006, SD 1
S.B. No. 3008, SD 2
S.B. No. 3009, SD 2
S.B. No. 3010, SD 2
S.B. No. 3011, SD 1
S.B. No. 3015, SD 2
S.B. No. 3016, SD 1
S.B. No. 3017, SD 1
S.B. No. 3018, SD 1
S.B. No. 3019, SD 1
S.B. No. 3020, SD 1
S.B. No. 3023, SD 2
S.B. No. 3025, SD 1
S.B. No. 3026, SD 2
S.B. No. 3027, SD 2
S.B. No. 3030, SD 2
S.B. No. 3031, SD 1
S.B. No. 3034, SD 1
S.B. No. 3048, SD 1
S.B. No. 3050, SD 1
S.B. No. 3051, SD 2
S.B. No. 3060, SD 2
S.B. No. 3068, SD 1
S.B. No. 3069, SD 2
S.B. No. 3070, SD 2
S.B. No. 3071, SD 2
S.B. No. 3072
S.B. No. 3073, SD 1
S.B. No. 3074, SD 1
S.B. No. 3075, SD 1
S.B. No. 3076
S.B. No. 3077, SD 2
S.B. No. 3078, SD 2
S.B. No. 3080, SD 1
S.B. No. 3082, SD 1
S.B. No. 3083, SD 2
S.B. No. 3087, SD 1
S.B. No. 3092, SD 1
S.B. No. 3102, SD 2
S.B. No. 3103, SD 1
S.B. No. 3105, SD 1
S.B. No. 3115, SD 2
S.B. No. 3119, SD 2
S.B. No. 3137, SD 2
S.B. No. 3138, SD 1
S.B. No. 3146, SD 1
S.B. No. 3149, SD 3
S.B. No. 3151, SD 1
S.B. No. 3165, SD 2
S.B. No. 3166
S.B. No. 3167, SD 2
S.B. No. 3168, SD 2
S.B. No. 3171, SD 2
S.B. No. 3172
S.B. No. 3174, SD 2
S.B. No. 3182, SD 1

S.B. No. 3185, SD 2
S.B. No. 3197, SD 2
S.B. No. 3200, SD 1
S.B. No. 3202
S.B. No. 3203, SD 1
S.B. No. 3204, SD 1
S.B. No. 3206, SD 2
S.B. No. 3215, SD 3
S.B. No. 3221, SD 2
S.B. No. 3225, SD 2
S.B. No. 3227, SD 2
S.B. No. 3228
S.B. No. 3234, SD 2
S.B. No. 3245, SD 1
S.B. No. 3250, SD 2
S.B. No. 3252, SD 2
S.B. No. 3255, SD 2
S.B. No. 3257, SD 3
S.B. No. 3258, SD 3

Sen. Com. No. 359, transmitting H.B. No. 1755, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," which passed Third Reading in the Senate on March 4, 2008.

Representative Caldwell moved to disagree to the amendments made by the Senate to H.B. No. 1755, HD 1, SD 1, seconded by Representative B. Oshiro and carried. (Representatives Cabanilla, Finnegan, Nakasone and Thielen were excused.)

INTRODUCTION

The following introduction was made to the members of the House:

Representative Chang introduced his brother, Mr. Gilbert Chang; and his friend, Mr. Gerald De Mello from the University of Hawaii, Hilo.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
107	Committee on Human Services & Housing, then to the Committee on Legislative Management
108	Committee on Education
109	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
110	Jointly to the Committee on International Affairs and the Committee on Human Services & Housing
111	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
112	Committee on International Affairs, then to the Committee on Higher Education
113	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
114	Committee on Health, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce
115	Committee on Judiciary, then to the Committee on Finance
116	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
117	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
118	Committee on Public Safety & Military Affairs, then to the Committee on Finance
119	Committee on Health, then to the Committee on Finance
120	Committee on Transportation, then to the Committee on Finance

H.C.R. Nos.	Referred to:
125	Committee on Human Services & Housing, then to the Committee on Legislative Management
126	Committee on Education
127	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
128	Committee on International Affairs, then to the Committee on Human Services & Housing
129	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
130	Committee on International Affairs, then to the Committee on Higher Education
131	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
132	Committee on Health, then jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce
133	Committee on Judiciary, then to the Committee on Finance
134	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
135	Committee on Education
136	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

137	Committee on Public Safety & Military Affairs, then to the Committee on Finance
138	Committee on Health, then to the Committee on Finance
139	Committee on Public Safety & Military Affairs, then to the Committee on Finance
140	Committee on Transportation, then to the Committee on Finance

The following bills were referred to committee by the Speaker:

S.B. Nos.	**Referred to:**
3, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
45, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
146, SD1	Committee on Energy & Environmental Protection, then to the Committee on Finance
409, SD2	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce
521, SD1	Committee on International Affairs, then to the Committee on Human Services & Housing
591, SD3	Committee on Economic Development & Business Concerns, then to the Committee on Finance
788, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
868, SD2	Committee on Legislative Management, then to the Committee on Finance
1368, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
1487, SD2	Committee on Health, then to the Committee on Judiciary
1488, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
1789, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
1809	Committee on Consumer Protection & Commerce
2004, SD2	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
2009, SD1	Committee on Judiciary
2026, SD2	Jointly to the Committee on Tourism & Culture and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2034	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2035, SD1	Committee on Finance
2039, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
2040, SD1	Jointly to the Committee on Health and the Committee on Higher Education, then to the Committee on Judiciary
2041	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2047, SD3	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2054, SD2	Committee on Human Services & Housing, then to the Committee on Judiciary
2055, SD2	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2063, SD1	Committee on Transportation, then to the Committee on Judiciary
2064, SD1	Committee on Health, then to the Committee on Judiciary
2065, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
2080, SD2	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Judiciary
2081, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2082, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2083, SD2	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Finance
2088, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
2094, SD2	Committee on Transportation, then to the Committee on Judiciary
2104, SD1	Committee on Health, then to the Committee on Finance
2129, SD2	Committee on Human Services & Housing, then to the Committee on Legislative Management
2141	Committee on Human Services & Housing, then to the Committee on Judiciary
2146, SD2	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance
2150, SD2	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2151, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2153, SD1	Committee on Finance
2154, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2155, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2156, SD1	Committee on Transportation, then to the Committee on Finance
2157, SD1	Committee on Health, then to the Committee on Judiciary
2159	Committee on Health, then to the Committee on Consumer Protection & Commerce
2160, SD2	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2163, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
2164, SD3	Committee on Education, then to the Committee on Finance
2170, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary
2174	Committee on Judiciary
2189, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2191, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2192, SD2	Committee on Energy & Environmental Protection, then to the Committee on Finance
2196, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2198, SD2	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2201, SD1	Committee on Judiciary
2202	Committee on Judiciary, then to the Committee on Finance
2204, SD1	Committee on Judiciary
2212, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary
2214, SD2	Committee on Human Services & Housing, then to the Committee on Finance
2215, SD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2218, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2219, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
2226, SD1	Committee on Human Services & Housing, then to the Committee on Finance
2233, SD1	Jointly to the Committee on Higher Education and the Committee on International Affairs, then to the Committee on Finance
2245, SD1	Committee on Transportation, then to the Committee on Judiciary
2246, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Higher Education, then to the Committee on Finance
2254	Committee on Education, then to the Committee on Finance
2258, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce
2262, SD1	Committee on Labor & Public Employment, then to the Committee on Finance
2263, SD2	Committee on Higher Education, then to the Committee on Judiciary
2273, SD2	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2293, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing
2294, SD2	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing
2295, SD1	Committee on Judiciary
2301, SD1	Committee on Judiciary
2312	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2313, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2314, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2315, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2333, SD2	Committee on Higher Education, then to the Committee on Finance

2334, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

2341, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance

2342, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance

2344, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2345, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2363, SD2 Committee on Judiciary

2366, SD2 Committee on Transportation, then to the Committee on Judiciary

2373, SD1 Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

2394 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2395, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

2396, SD1 Committee on Health, then to the Committee on Judiciary

2397, SD2 Committee on Health, then to the Committee on Finance

2400, SD1 Committee on Judiciary

2414, SD1 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

2421, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2423, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance

2425, SD1 Committee on Judiciary

2433, SD2 Committee on Tourism & Culture, then to the Committee on Finance

2434 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns

2435, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

2436, SD1 Committee on Judiciary

2441 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2447 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2449, SD2 Committee on Education, then to the Committee on Labor & Public Employment

2455, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

2456, SD2 Committee on Judiciary

2458, SD2 Committee on Judiciary

2459, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2464 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture

2465 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture

2467, SD2 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2474, SD1 Committee on Judiciary, then to the Committee on Finance

2480, SD2 Committee on Economic Development & Business Concerns, then jointly to the Committee on Higher Education and the Committee on Human Services & Housing, then to the Committee on Finance

2482, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Higher Education, then to the Committee on Finance

2486, SD2 Jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2487, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2493 Committee on Education, then to the Committee on Labor & Public Employment, then to the Committee on Finance

2498, SD1 Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

2499 Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2501, SD2 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2523, SD1 Committee on Agriculture, then to the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

2524, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2526, SD1 Jointly to the Committee on Energy & Environmental Protection and the Committee on Transportation, then to the Committee on Tourism & Culture

2528, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2529, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2530, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2535, SD1 Jointly to the Committee on Health and the Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

2542, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2545 Committee on Health, then to the Committee on Higher Education, then to the Committee on Finance

2546, SD2 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Finance

2554, SD2 Committee on Tourism & Culture, then to the Committee on Judiciary

2555, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2556, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2557, SD1 Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2562, SD1 Committee on Judiciary, then to the Committee on Finance

2569 Committee on Tourism & Culture, then to the Committee on Finance

2571, SD1 Committee on Energy & Environmental Protection, then to the Committee on Education, then to the Committee on Finance

2579, SD2 Committee on Judiciary

2583, SD1 Committee on Tourism & Culture, then to the Committee on Finance

2584, SD2 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce

2594, SD1 Committee on Labor & Public Employment, then to the Committee on Finance

2605, SD1 Committee on Judiciary, then to the Committee on Finance

2615, SD1 Committee on Finance

2623 Committee on Energy & Environmental Protection, then to the Committee on Finance

2624, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

2627, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2630, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

2639, SD1 Committee on Agriculture, then to the Committee on Finance

2644, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2646, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Agriculture, then to the Committee on Finance

2652, SD2 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

2660, SD3 Committee on Higher Education, then to the Committee on Finance

2663, SD2 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

2668, SD2 Committee on Higher Education, then to the Committee on Finance

2673, SD2 Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Finance

2675, SD1 Committee on Higher Education, then to the Committee on Finance

2677 Committee on Higher Education, then to the Committee on Finance

2680 Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance

2710, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

2711, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

2714 Committee on Judiciary

2715, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2720, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2727, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2730, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary

2733, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary and the Committee on Finance

2739, SD2 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then to the Committee on Finance

2745, SD1 Committee on Judiciary

2748, SD1 Committee on Economic Development & Business Concerns

2764, SD3 Committee on Energy & Environmental Protection, then to the Committee on Finance

2768, SD2 Committee on Health, then to the Committee on Finance

2770, SD1 Committee on Consumer Protection & Commerce

2774, SD2 Committee on Energy & Environmental Protection, then jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

2779 Jointly to the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

2780, SD2 Jointly to the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2782, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2783, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2784, SD1 Committee on Judiciary

2785, SD1 Committee on Judiciary, then to the Committee on Finance

2790, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

2803, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

2804, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce

2808, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Judiciary

2816, SD1 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2817, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2818, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2822, SD2 Jointly to the Committee on Education and the Committee on Human Services & Housing, then to the Committee on Finance

2824, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management, then to the Committee on Finance

2826, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

2828, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2829, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2830, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management, then to the Committee on Finance

2831, SD1 Committee on Higher Education, then jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2832, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance

2833, SD1 Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance

2835, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2836, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2837, SD1 Committee on Human Services & Housing, then to the Committee on Finance

2838, SD2 Committee on Finance

2839, SD2 Committee on Human Services & Housing, then to the Committee on Finance

2861 Committee on Tourism & Culture, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2876 Committee on Labor & Public Employment, then to the Committee on Finance

2900, SD1 Committee on Transportation, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

2959 Committee on Finance

3021, SD1	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
3028	Committee on Health, then to the Committee on Consumer Protection & Commerce
3088	Committee on Labor & Public Employment, then to the Committee on Finance
3109, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
3130, SD1	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Consumer Protection & Commerce
3190	Committee on Energy & Environmental Protection, then to the Committee on Finance
3196	Committee on Consumer Protection & Commerce

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
88	Committee on Public Safety & Military Affairs

H.C.R. No.	Re-referred to:
106	Committee on Public Safety & Military Affairs

At 12:12 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:34 o'clock p.m.

UNFINISHED BUSINESS

H.B. No. 1758, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 1758, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE," was recommitted to the Committee on Judiciary with Representatives Bertram, Cabanilla, Finnegan, Nakasone, Saiki and Thielen being excused.

H.B. No. 3041, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was recommitted to the Committee on Judiciary with Representatives Bertram, Cabanilla, Finnegan, Nakasone, Saiki and Thielen being excused.

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1042-08), recommending that H.C.R. No. 62, 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. 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 Consumer Protection & Commerce with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1043-08), recommending that H.R. No. 50, 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. 50, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was referred to the Committee on Finance with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1044-08), recommending that H.C.R. No. 51, 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. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was referred to the Committee on Finance with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1045-08), recommending that H.R. No. 41, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 41, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING AND SUPPORTING THE FUNDAMENTAL RIGHT OF PARENTS AND GUARDIANS TO DIRECT THE EDUCATION AND UPBRINGING OF THEIR CHILDREN," was referred to the Committee on Judiciary with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1046-08), recommending that H.C.R. No. 41, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 41, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING AND SUPPORTING THE FUNDAMENTAL RIGHT OF PARENTS AND GUARDIANS TO DIRECT THE EDUCATION AND UPBRINGING OF THEIR CHILDREN," was referred to the Committee on Judiciary with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1047-08) recommending that H.R. No. 12, 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. 12, entitled: "HOUSE RESOLUTION RECOGNIZING THE SECOND WEEK OF JUNE AS MEN'S HEALTH WEEK," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1048-08) recommending that H.C.R. No. 11, 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. 11, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE SECOND WEEK OF JUNE AS MEN'S HEALTH WEEK," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1049-08) recommending that H.R. No. 25, 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. 25, entitled: "HOUSE RESOLUTION URGING ALL HOSPITALS THAT PROVIDE MEDICAL CARE TO NEWBORNS TO PROVIDE PARENTS OF THE NEWBORN WITH WRITTEN EDUCATIONAL INFORMATION APPROVED BY THE DEPARTMENT OF HEALTH ABOUT THE DANGEROUS EFFECTS OF SHAKEN BABY SYNDROME AND THE METHODS OF PREVENTING SHAKEN BABY SYNDROME," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1050-08) recommending that H.C.R. No. 25, 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. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HOSPITALS THAT PROVIDE MEDICAL CARE TO NEWBORNS TO PROVIDE PARENTS OF THE NEWBORN WITH WRITTEN EDUCATIONAL INFORMATION APPROVED BY THE DEPARTMENT OF HEALTH ABOUT THE DANGEROUS EFFECTS OF SHAKEN BABY SYNDROME AND THE METHODS OF PREVENTING SHAKEN BABY SYNDROME," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1051-08) recommending that H.R. No. 33, 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. 33, HD 1, entitled: "HOUSE RESOLUTION ACKNOWLEDGING THE MONTH OF SEPTEMBER AS NATIONAL OVARIAN CANCER MONTH AND GYNECOLOGICAL CANCER AWARENESS MONTH," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1052-08) recommending that H.C.R. No. 33, 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. 33, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE MONTH OF SEPTEMBER AS NATIONAL OVARIAN CANCER MONTH AND GYNECOLOGICAL CANCER AWARENESS MONTH," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1053-08) recommending that H.R. No. 51, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 51, entitled: "HOUSE RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1054-08) recommending that H.C.R. No. 53, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," was adopted, with Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 112 through 123) and concurrent resolutions (H.C.R. Nos. 130 through 144) were referred to Printing and further action was deferred:

H.R. No. 112, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLACE NO NON-RESIDENT ENROLLMENT CAP RESTRICTIONS ON GRADUATE APPLICANTS FOR THE PURPOSES OF INCREASING INTERNATIONAL ENROLLMENT," was offered by Representative Cabanilla.

H.R. No. 113, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was offered by Representative Green.

H.R. No. 114, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO FORM A WORK GROUP TO EXPLORE THE NEED TO BAN OR BETTER LABEL PRODUCTS CONTAINING THE ARTIFICIAL SWEETENER ASPARTAME," was offered by Representative Green.

H.R. No. 115, entitled: "HOUSE RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON IMPROVING EYEWITNESS IDENTIFICATION AND BIOLOGICAL EVIDENCE PROCEDURES," was jointly offered by Representatives Bertram, Evans and Souki.

H.R. No. 116, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE ADDITIONAL AREAS OF STATE WATERS TO BE APPROPRIATELY DESIGNATED AS MARINE-PROTECTED AREAS," was jointly offered by Representatives Bertram, Morita, Chong and Souki.

H.R. No. 117, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH AN INMATE CONSERVATION CORPS PILOT PROGRAM ON THE ISLAND OF HAWAII," was offered by Representative Evans.

H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," was offered by Representative Evans.

H.R. No. 119, entitled: "HOUSE RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was offered by Representative Evans.

H.R. No. 120, entitled: "HOUSE RESOLUTION CALLING FOR THE ESTABLISHMENT OF A TASK FORCE TO STUDY HOW MOPEDS CAN BE MADE SAFER, QUIETER, AND LESS LIKELY TO BE USED FOR ILLEGAL PURPOSES," was jointly offered by Representatives Ching, Brower, Marumoto, Meyer, Takai, Ward, Awana, Ito, Magaoay, Morita, Pine, Shimabukuro, Souki, Takumi and Thielen.

H.R. No. 121, entitled: "HOUSE RESOLUTION HONORING THE UNIVERSITY OF HAWAII FOR ITS RESPECTFUL ACTIONS TO ASSIGN ITS THREE PATENTS ON TARO TO THE GREATER NATIVE HAWAIIAN COMMUNITY AND SUPPORTING STATE FUNDING FOR THE UNIVERSITY OF HAWAII TO FURTHER RESEARCH AND DEVELOP A MEANS TO IDENTIFY GENETICALLY MODIFIED ORGANISMS," was jointly offered by Representatives Bertram, Chang, Magaoay and Shimabukuro.

H.R. No. 122, entitled: "HOUSE RESOLUTION REQUESTING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO ESTABLISH A TASK FORCE TO DEVELOP A PROGRAM TO INCREASE THE NUMBER OF RAINWATER CATCHMENT AND STORAGE SYSTEMS STATEWIDE," was jointly offered by Representatives Bertram, Brower, Shimabukuro, Ito, Magaoay, Morita and Tsuji.

H.R. No. 123, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT TO THE LEGISLATURE ON THE IMPACTS OF LOCATING A REDEMPTION CENTER OR REVERSE VENDING MACHINES ON THE PREMISES OF EVERY DEALER THAT SELLS DEPOSIT BEVERAGES," was jointly offered by Representatives Bertram, Brower, Magaoay, Morita, Rhoads, Shimabukuro and Tsuji.

H.C.R. No. 130, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII TO PLACE NO NON-RESIDENT ENROLLMENT CAP RESTRICTIONS ON GRADUATE APPLICANTS FOR THE PURPOSES OF INCREASING INTERNATIONAL ENROLLMENT," was offered by Representative Cabanilla.

H.C.R. No. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was offered by Representative Green.

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO FORM A WORK GROUP TO EXPLORE THE NEED TO BAN OR BETTER LABEL PRODUCTS CONTAINING THE ARTIFICIAL SWEETENER ASPARTAME," was offered by Representative Green.

H.C.R. No. 133, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO REVIEW AND REPORT ON IMPROVING EYEWITNESS IDENTIFICATION AND BIOLOGICAL EVIDENCE PROCEDURES," was jointly offered by Representatives Bertram, Evans and Souki.

H.C.R. No. 134, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE ADDITIONAL AREAS OF STATE WATERS TO BE APPROPRIATELY DESIGNATED AS MARINE-PROTECTED AREAS," was jointly offered by Representatives Bertram, Morita, Chong and Souki.

H.C.R. No. 135, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO INCLUDE SHADED PLAY AREAS IN PLANS FOR ALL NEW ELEMENTARY SCHOOLS AND TO ESTABLISH AND PHASE IN A PLAN TO PROVIDE SHADED PLAY AREAS ON THE GROUNDS OF ALL EXISTING ELEMENTARY SCHOOLS BY 2011," was jointly offered by Representatives Bertram, McKelvey, Awana, Carroll, Mizuno, Souki and Yamashita.

H.C.R. No. 136, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH AN INMATE CONSERVATION CORPS PILOT PROGRAM ON THE ISLAND OF HAWAII," was offered by Representative Evans.

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," was offered by Representative Evans.

H.C.R. No. 138, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE FORMATION OF A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was offered by Representative Evans.

H.C.R. No. 139, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DEFENSE TO FORM A TASK FORCE TO REVIEW THE STATE'S CAPACITY FOR DISASTER PREPAREDNESS AND RESPONSE AND THE ADEQUACY OF FUNDING SOURCES," was offered by Representative Evans.

H.C.R. No. 140, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR THE ESTABLISHMENT OF A TASK FORCE TO STUDY HOW MOPEDS CAN BE MADE SAFER, QUIETER, AND LESS LIKELY TO BE USED FOR ILLEGAL PURPOSES," was jointly offered by Representatives Ching, Brower, Marumoto, Meyer, Takai, Ward, Awana, Ito, Magaoay, Morita, Pine, Shimabukuro, Souki and Takumi.

H.C.R. No. 141, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FORM A TASK FORCE TO EVALUATE ESTABLISHING COMPREHENSIVE RECYCLING PROGRAMS IN SCHOOLS," was jointly offered by Representatives Thielen and Takumi.

H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION HONORING THE UNIVERSITY OF HAWAII FOR ITS RESPECTFUL ACTIONS TO ASSIGN ITS THREE PATENTS ON TARO TO THE GREATER NATIVE HAWAIIAN COMMUNITY AND SUPPORTING STATE FUNDING FOR THE UNIVERSITY OF HAWAII TO FURTHER RESEARCH AND DEVELOP A MEANS TO IDENTIFY GENETICALLY MODIFIED ORGANISMS," was jointly offered by Representatives Bertram, Chang, Magaoay and Shimabukuro.

H.C.R. No. 143, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COMMISSION ON WATER RESOURCE MANAGEMENT TO ESTABLISH A TASK FORCE TO DEVELOP A PROGRAM TO INCREASE THE NUMBER OF RAINWATER CATCHMENT AND STORAGE SYSTEMS STATEWIDE," was jointly offered by Representatives Bertram, Brower, Shimabukuro, Ito, Magaoay, Morita and Tsuji.

H.C.R. No. 144, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO REPORT TO THE LEGISLATURE ON THE IMPACTS OF LOCATING A REDEMPTION CENTER OR REVERSE VENDING MACHINES ON THE PREMISES OF EVERY DEALER THAT SELLS DEPOSIT BEVERAGES," was jointly offered by Representatives Bertram, Brower, Magaoay, Morita, Rhoads, Shimabukuro and Tsuji.

ADJOURNMENT

At 12:37 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 7, 2008. (Representatives Cabanilla, Finnegan, Luke, Nakasone, Saiki and Thielen were excused.)

TWENTY-SEVENTH DAY

Friday, March 7, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Ms. Marnelli Joy Bailio of Representative K. Mark Takai's office, after which the Roll was called showing all members present with the exception of Representatives Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Takumi and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Sixth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 268) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 268, dated March 5, 2008, transmitting the 2007 Report of the Commission to Promote Uniform Legislation of the Department of the Attorney General

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 361) was received and announced by the Clerk:

Sen. Com. No. 361, transmitting S.B. No. 520, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," which passed Third Reading in the Senate on March 6, 2008.

On motion by Representative B. Oshiro seconded by Representative Meyer and carried, the following Senate bill passed First Reading by title and further action was deferred: (Representatives Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen were excused.)

S.B. No. 520, SD 2

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 64 through 67) were received by the Clerk and were placed on file:

Dept. Com. No. 64, dated February 29, 2008, from the University of Hawaii, transmitting the report, Requesting the University of Hawaii to Design a Long-Term Comprehensive Financial Plan (Senate Concurrent Resolution 137, 2007) and Requesting the University of Hawaii to Report on the Linking of Funding for Individual Campuses with Performance Goals (Senate Concurrent Resolution 79, 2007).

Dept. Com. No. 65, dated February 28, 2008, from the Department of Health, transmitting the report, the "2008 Interagency Action Plan for the Emergency Preparedness of Persons with Disabilities and Special Health Needs."

Dept. Com. No. 66, dated March 5, 2008, from the Office of the Auditor, transmitting the report, Study of the Social and Financial Impacts of Mandatory Health Insurance Coverage for Use of Intelligent Medical Vigilance Services in Acute Care Hospitals.

Dept. Com. No. 67, dated March 3, 2008, from the Hawaii Labor Relations Board, transmitting the report, the HLRB Information Bulletin No. 46, which provides, by employing jurisdiction, the number of public employees in each of the 13 collective bargaining units established by Hawaii Revised Statutes.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Mizuno introduced the Hawaii-Okinawa student exchange program delegation students. They were accompanied by Mr. Yoshikazu Matsubara, Okinawa Prefecture, Board of Education; Mr. Manabu Taira, teacher, Koza Senior High School; Ms. Naomi Yamauchi, teacher, Chuba Agricultural School; Ms. Susan Sato, Education Specialist with Hawaii Department of Education; and former Representative Dennis Arakaki.

Representative Mizuno also introduced members of his staff, Ms. Leolani Oyama, Ms. Josephine Besario, Mr. Michael Gotti, and Mr. Edgar Fernandez.

Representative Yamashita introduced the Boys & Girls Club of Maui 2008 Youth of the Year, Mr. Chase Muromoto.

Representative Morita on behalf of Representatives Sagum and Tokioka, introduced the Boys & Girls Club of Kauai 2008 Youth of the Year, Ms. Jazzyln Pasion-Saflor.

Representative Yamane, on behalf of Representative's Lee and M. Oshiro, introduced the Boys & Girls Club Army Hawaii 2008 Youth of the Year, from Mililani, Ms. Kelly Quinn.

Representative Takai, on behalf of Representative Takumi, introduced from Pearl City, Ms. Marilyn Siquig from Marine Corps Base Boys & Girls Club; and Ms. Carina Surface from Hickam Air Force Base Boys & Girls Club.

Representative Takai introduced members of the Joint Venture Education Forum: Lt. Col. Mark Boussy, United States Army; Col. Marty Wong, Hawaii National Guard; and Ms. Carolyn Fujioka, State-Farm Insurance.

Representative McKelvey introduced Mr. Don Couch from the Boys & Girls Club of Maui.

Representative Marumoto introduced her shadow from the Kalani High School Career Program, Mr. Spencer M.K. Lau, accompanied by her staff, Ms. Judy Fadrowsky.

Representative Tokioka introduced Ms. Sherri Vasconcelles from Kauai, former rodeo star.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following bill was referred to committee by the Speaker:

S.B. Nos.	Referred to:
520, SD2	Committee on International Affairs, then to the Committee on Finance
2840, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Finance

2842, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

2843, SD2 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2845, SD2 Committee on Energy & Environmental Protection, then to the Committee on Legislative Management, then to the Committee on Finance

2847 Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2849, SD1 Committee on Energy & Environmental Protection, then jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture

2850, SD2 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection, then to the Committee on Finance

2857, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

2860, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2864, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2867, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Judiciary

2868, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2871, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

2877, SD2 Committee on Education, then to the Committee on Public Safety & Military Affairs, then to the Committee on Finance

2878, SD2 Committee on Education, then to the Committee on Finance

2879, SD2 Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance

2882, SD1 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

2886, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary

2887, SD1 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

2891, SD1 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2895, SD1 Committee on Judiciary

2896, SD2 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2898, SD1 Committee on Judiciary

2901, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2905, SD2 Committee on Agriculture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2907, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

2913, SD2 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Transportation, then to the Committee on Finance

2915, SD2 Committee on Agriculture, then to the Committee on Finance

2932, SD3 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

2933, SD2 Jointly to the Committee on Energy & Environmental Protection and the Committee on Human Services & Housing, then to the Committee on Finance

2956, SD1 Committee on Agriculture, then to the Committee on Finance

2958, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2961, SD2 Committee on Judiciary, then to the Committee on Finance

2962, SD1 Committee on Judiciary

2977, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

2983, SD2 Committee on Economic Development & Business Concerns, then to the Committee on Finance

2984, SD2 Committee on Public Safety & Military Affairs, then to the Committee on Finance

2986, SD2 Committee on Energy & Environmental Protection, then to the Committee on Finance

2991, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

2997, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

3001, SD2 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3002, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3004, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

3005, SD2 Committee on Labor & Public Employment, then to the Committee on Finance

3006, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3008, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3009, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3010, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3011, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Finance

3015, SD2 Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary

3016, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3017, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3018, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3019, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3020, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3023, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3025, SD1 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3026, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3027, SD2 Committee on Health, then to the Committee on Consumer Protection & Commerce

3030, SD2 Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance

3031, SD1 Committee on Health, then to the Committee on Consumer Protection & Commerce

3034, SD1 Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

3048, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

3050, SD1 Committee on Human Services & Housing, then to the Committee on Judiciary

3051, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

3060, SD2 Committee on Human Services & Housing, then to the Committee on Judiciary

3068, SD1 Committee on Finance

3069, SD2 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3070, SD2 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3071, SD2 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3072 Jointly to the Committee on Health and the Committee on Energy & Environmental Protection, then to the Committee on Finance

3073, SD1 Committee on Energy & Environmental Protection, then to the Committee on Finance

3074, SD1 Committee on Health, then to the Committee on Finance

3075, SD1 Committee on Health, then to the Committee on Judiciary

3076 Committee on Health, then to the Committee on Finance

3077, SD2 Committee on Health, then to the Committee on Judiciary

3078, SD2 Jointly to the Committee on Health and the Committee on Labor & Public Employment, then to the Committee on Judiciary, then to the Committee on Finance

3080, SD1 Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance

3082, SD1 Committee on Energy & Environmental Protection, then jointly to the Committee on Tourism & Culture and the Committee on Transportation, then to the Committee on Finance

3083, SD2 Committee on Health, then to the Committee on Finance

3087, SD1 Committee on Labor & Public Employment, then to the Committee on Finance

3092, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

3102, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3103, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

3105, SD1 Committee on Judiciary

3115, SD2 Committee on Finance

3119, SD2 Committee on Transportation, then to the Committee on Finance

3137, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3138, SD1 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Finance

3146, SD1 Committee on Judiciary

3149, SD3 Committee on Transportation, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3151, SD1 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3165, SD2 Committee on Transportation, then jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3166 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns

3167, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3168, SD2 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Tourism & Culture, then to the Committee on Higher Education, then to the Committee on Finance

3171, SD2 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3172 Committee on Human Services & Housing, then to the Committee on Finance

3174, SD2 Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3182, SD1 Committee on Judiciary

3185, SD2 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance

3197, SD2 Committee on International Affairs, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance

3200, SD1 Committee on Judiciary, then to the Committee on Finance

3202 Committee on Judiciary, then to the Committee on Finance

3203, SD1 Committee on Judiciary

3204, SD1 Committee on Judiciary

3206, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3215, SD3 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance

3221, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3225, SD2 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

3227, SD2 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

3228 Committee on Health, then to the Committee on Labor & Public Employment, then to the Committee on Finance

3234, SD2 Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

3245, SD1 Committee on Consumer Protection & Commerce, then to the Committee on Labor & Public Employment

3250, SD2 Committee on Higher Education, then to the Committee on Finance

3252, SD2 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

3255, SD2 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

3257, SD3 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

3258, SD3 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B. No. **Re-referred to:**

2273, SD2 Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Finance

At 12:22 o'clock p.m., Representative Evans requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 137) was announced by the Clerk and the following action taken:

H.R. No. 137, entitled: "HOUSE RESOLUTION RECOGNIZING 2008 AS THE YEAR OF THE PANIOLO," was jointly offered by Representatives Evans, Awana, Berg, Brower, Carroll, Ching, Hanohano, Herkes, Ito, Karamatsu, Luke, Magaoay, Manahan, McKelvey, Meyer, Mizuno, Morita, Nishimoto, Pine, Rhoads, Sagum, Tsuji, Wakai, Waters, Yamashita, Bertram, Chang, Har, Lee, Marumoto, M. Oshiro, Saiki, Sonson, Souki, Takamine, Takumi and Ward.

Representative Evans moved that H.R. No. 137 be adopted, seconded by Representative Hanohano.

Representative Evans acknowledged the Paniolo Preservation Society in celebrating 2008 as the Year of the Paniolo and introduced the following honorees seated on the floor of the House:

From Kauai:
Mr. Eddie Taniguchi, Jr., foreman at the Makaweli Ranch and Paniolo Hall of Fame inductee.

Ms. Kristyn-Lee Vasconcelles, Hawaii High School Rodeo Queen.

From Oahu:
Mr. Abraham Akau foreman at the Kualoa Ranch and Paniolo Hall of Fame inductee who was represented by Mr. Tammy Medeiros.

Mr. Levi Rita of Oahu and member of the Hawaii High School Rodeo Association.

Representative Hanohano then introduced the following honorees seated on the floor of the House:

From Molokai:
Mr. Morrency Dudoit formerly of the Pohoku and Molokai Ranch.

Ms. Cheyanne Keliihoomalu, member of the 2008 Wrangler All-Star Team.

From Maui:
Mr. Merton Kekiwi foreman at the Ulupalakua Ranch.

Mr. Cole Hendrickson, national qualifier at the Wrangler National Junior High School Division.

From the Big Island of Hawaii:
Mr. Kimo Ho'opai, Jr., of the Kahua Ranch, Parker Ranch and Kihena Ranch, and Paniolo Hall of Fame inductee.

Ms. Cheyenne Gaspar, President of the Hawaii High School Rodeo Association and former Rodeo Queen.

Representative Ching further recognized the Paniolo and their contributions to the culture of Hawaii.

Representative Marumoto also acknowledged Dr. Billy Bergen, Paniolo historian and author, for his role in recognizing the Paniolo in the national Rodeo Hall of Fame

The motion was put to vote by the Chair and carried, and H.R. No. 137 was adopted with Representatives Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen being excused.

The following resolution (H.R. No. 138) was announced by the Clerk and the following action taken:

H.R. No. 138, entitled: "HOUSE RESOLUTION HONORING JUNIOR ACHIEVEMENT OF HAWAII, INC. AND THE 2008 HAWAII BUSINESS HALL OF FAME INDUCTEES," was jointly offered by Representatives Marumoto, Belatti, Brower, Finnegan, Green, Herkes, Karamatsu, Magaoay, Manahan, Shimabukuro, Thielen, Yamashita and Ito.

Representative Marumoto moved that H.R. No. 138 be adopted, seconded by Representative Yamashita.

Representative Marumoto recognized the Junior Achievement of Hawaii, Inc. and congratulated the 2008 Hawaii Business Hall of Fame inductees who were seated on the floor of the House:

Mr. Jon De Mello, founder of Mountain Apple Company, Inc., a full service entertainment company.

Mr. Joseph J. Ferraro, co-founder of Ferraro Choi and Associates, Ltd., an environmentally oriented architectural and interior design firm.

Representative Yamashita also congratulated and introduced the following 2008 Hawaii Business Hall of Fame inductees who were seated on the floor of the House:

Mr. Richard Ha, founder of Kea'au Banana and Hamakua Springs Country Farms, a diversified, eco-friendly agriculture company.

Mr. Peter Kim, founder of family-owned, Yummy Restaurant Group.

Representative Caldwell further recognized Mr. Ferraro and Mrs. Nadine Ferraro.

Representative Yamashita then introduced the family and friends seated in the gallery:

Mr. Ferraro's Guests: Mrs. Nadine Ferraro, Ms. Carolyn Fujioka, Mr. Jeffrey Hawk, Mr. Lee Davis, and Mr. Jerry Hofwolt.

Mr. Ha's Guest: Mrs. June Ha.

Mr. De Mello's Guest: Ms. Leah Bernstein.

The motion was put to vote by the Chair and carried, and H.R. No. 138 was adopted with Representatives Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen being excused.

At 12:49 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:57 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1055-08) recommending that H.B.

No. 2700, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2700, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1056-08) recommending that H.B. No. 2500, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Awana, Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 124 through 136) and concurrent resolutions (H.C.R. Nos. 145 through 163) were referred to Printing and further action was deferred:

H.R. No. 124, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONDUCT A FEASIBILITY STUDY ON REQUIRING RENOVATIONS TO STATE BUILDINGS TO MEET LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN STANDARDS," was jointly offered by Representatives Thielen, Chang, Green, Tsuji and Herkes.

H.R. No. 125, entitled: "HOUSE RESOLUTION URGING THE ATTORNEY GENERAL TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was jointly offered by Representatives Green, Awana, Bertram, McKelvey, Mizuno and Rhoads.

H.R. No. 126, entitled: "HOUSE RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," was jointly offered by Representatives Evans, Har, McKelvey and Yamane.

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 offered by Representative Shimabukuro.

H.R. No. 128, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE EXACT COSTS OF PLANS, DESIGN, CONSTRUCTION, AND OTHER NECESSARY EXPENDITURES FOR AN OFF-ROAD BICYCLE PATH ADJACENT TO PIILANI HIGHWAY ON MAUI," was jointly offered by Representatives Bertram, Carroll, Evans, Nishimoto, Rhoads, Brower, McKelvey and Shimabukuro.

H.R. No. 129, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE PONO PLUS AFTER SCHOOL PROGRAM," was jointly offered by Representatives Bertram, Ching, Brower, Carroll, Evans, Magaoay, McKelvey, Rhoads, Shimabukuro and Takumi.

H.R. No. 130, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was jointly offered by Representatives Chang, Bertram, Brower, Hanohano, Herkes, Karamatsu, Magaoay, Nishimoto, Shimabukuro, Takai, Tsuji, Wakai, Takamine and Takumi.

H.R. No. 131, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was jointly offered by Representatives Chang, Bertram, Karamatsu, Magaoay, Shimabukuro, Tsuji, Berg, Nishimoto, Takamine and Wakai.

H.R. No. 132, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII, IN CONSULTATION WITH MEDICAL AND BRAIN INJURY EXPERTS, TO WORK WITH THE ATHLETIC COMMUNITY TO DEVELOP A STATEWIDE CONCUSSION PREVENTION AND AWARENESS PROGRAM FOR YOUNG ATHLETES," was jointly offered by Representatives Lee, Awana, Carroll, Chang, Green, Herkes, Ito, Manahan, McKelvey, Mizuno, Morita, Nishimoto, M. Oshiro, Sagum, Tokioka, Waters, Yamane, Yamashita, Belatti and Takumi.

H.R. No. 133, entitled: "HOUSE RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was jointly offered by Representatives Awana, Evans, Har, McKelvey, Mizuno, Sonson, Takumi, Souki and Takamine.

H.R. No. 134, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE RECOGNITION OF CERTAIN RIGHTS OF PARENTS OF CHILDREN WHO HAVE BEEN REFERRED FOR SPECIAL EDUCATION SERVICES," was jointly offered by Representatives Awana, Berg, Chang, Mizuno, Shimabukuro, Takai, Takumi and Takamine.

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 jointly offered by Representatives Awana, Chang, Mizuno, Shimabukuro, Takai, Takumi and Takamine.

H.R. No. 136, entitled: "HOUSE RESOLUTION SUPPORTING THE ESTABLISHMENT OF A CENTER ON SOCIAL WORK AT THE UNIVERSITY OF HAWAII AT MANOA SCHOOL OF SOCIAL WORK," was jointly offered by Representatives Chang, Bertram, Brower, Herkes, Karamatsu, Magaoay, Mizuno, Sagum, Shimabukuro, Takai, Tsuji, Berg, Cabanilla, Takamine, Takumi and Wakai.

H.C.R. No. 145, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO CONDUCT A FEASIBILITY STUDY ON REQUIRING RENOVATIONS TO STATE BUILDINGS TO MEET LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN STANDARDS," was jointly offered by Representatives Thielen, Chang, Green, Tsuji and Herkes.

H.C.R. No. 146, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE ATTORNEY GENERAL TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was jointly offered by Representatives Green, Awana, Bertram, McKelvey, Mizuno and Rhoads.

H.C.R. No. 147, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," was jointly offered by Representatives Evans, Har, McKelvey and Yamane.

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 offered by Representative Shimabukuro.

H.C.R. No. 149, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ISSUE A REQUEST FOR PROPOSALS TO FORM A PUBLIC/PRIVATE PARTNERSHIP TO RENOVATE THE STATE'S PUBLIC HOUSING INVENTORY," was offered by Representative Shimabukuro.

H.C.R. No. 150, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE FEASIBILITY OF ESTABLISHING A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF AND HARD OF HEARING INDIVIDUALS," was offered by Representative Shimabukuro.

H.C.R. No. 151, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ENVIRONMENTAL COUNCIL TO CREATE AN EXEMPTION IN THE ENVIRONMENTAL ASSESSMENT PROCESS FOR STATE AND COUNTY ACTIONS RELATING TO EASEMENTS AND RIGHT-OF-WAYS," was offered by Representative Herkes.

H.C.R. No. 152, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A HEALTH INSURANCE COVERAGE IMPACT ASSESSMENT REPORT," was offered by Representative Herkes.

H.C.R. No. 153, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO STUDY THE USE AND SAFETY OF CHILDREN'S PRODUCTS AND TOYS CONTAINING PHTHALATES AND BISPHENOL-A," was offered by Representative Herkes.

H.C.R. No. 154, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF DENTAL EXAMINERS, IN ADOPTING PROPOSED RULES RELATING TO FALSE OR MISLEADING ADVERTISING BY DENTISTS, TO CONSIDER WHETHER FURTHER GUIDELINES SHOULD BE ADOPTED TO SPECIFY THE TYPES OF ADVERTISING THAT ARE PROHIBITED," was offered by Representative Herkes.

H.C.R. No. 155, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO DETERMINE THE EXACT COSTS OF PLANS, DESIGN, CONSTRUCTION, AND OTHER NECESSARY EXPENDITURES FOR AN OFF-ROAD BICYCLE PATH ADJACENT TO PIILANI HIGHWAY ON MAUI," was jointly offered by Representatives Bertram, Carroll, Evans, Nishimoto, Rhoads, Brower, McKelvey and Shimabukuro.

H.C.R. No. 156, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO STUDY THE PONO PLUS AFTER SCHOOL PROGRAM," was jointly offered by Representatives Bertram, Ching, Brower, Carroll, Evans, McKelvey, Rhoads, Shimabukuro and Takumi.

H.C.R. No. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was jointly offered by Representatives Chang, Bertram, Brower, Hanohano, Herkes, Karamatsu, Magaoay, Nishimoto, Shimabukuro, Takai, Tsuji, Wakai, Takamine and Takumi.

H.C.R. No. 158, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was jointly offered by Representatives Chang, Karamatsu, Magaoay, Shimabukuro, Tsuji, Berg, Bertram, Nishimoto, Takamine and Wakai.

H.C.R. No. 159, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE UNIVERSITY OF HAWAII, IN CONSULTATION WITH MEDICAL AND BRAIN INJURY EXPERTS, TO WORK WITH THE ATHLETIC COMMUNITY TO DEVELOP A STATEWIDE CONCUSSION PREVENTION AND AWARENESS PROGRAM FOR YOUNG ATHLETES," was jointly offered by Representatives Lee, Awana, Carroll, Chang, Green, Herkes, Ito, Manahan, McKelvey, Mizuno, Morita, Nishimoto, M. Oshiro, Sagum, Tokioka, Waters, Yamane, Yamashita, Belatti and Takumi.

H.C.R. No. 160, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was jointly offered by Representatives Awana, Evans, Har, McKelvey, Mizuno, Sonson, Souki, Takumi and Takamine.

H.C.R. No. 161, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ENSURE RECOGNITION OF CERTAIN RIGHTS OF PARENTS OF CHILDREN WHO HAVE BEEN REFERRED FOR SPECIAL EDUCATION SERVICES," was jointly offered by Representatives Awana, Chang, Mizuno, Shimabukuro, Takai, Takumi and Takamine.

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 jointly offered by Representatives Awana, Berg, Chang, Mizuno, Shimabukuro, Takai, Takumi and Takamine.

H.C.R. No. 163, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE ESTABLISHMENT OF A CENTER ON SOCIAL WORK AT THE UNIVERSITY OF HAWAII AT MANOA SCHOOL OF SOCIAL WORK," was jointly offered by Representatives Chang, Bertram, Brower, Herkes, Karamatsu, Magaoay, Mizuno, Sagum, Shimabukuro, Takai, Tsuji, Berg, Cabanilla, Takamine, Takumi and Wakai.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Rhoads introduced Mr. Fetu Kolio of the Kalihi-Palama Neighborhood Board.

ANNOUNCEMENTS

Representative McKelvey: "Mr. Speaker, on Tuesday Maui lost one of its own radio pioneers, Mr. Greg Everett. Greg Everett was the one who started the first call-in show for political and government affairs on the island of Maui. He was also the Past President of the Maui Chamber of Commerce. He was really well loved by the community.

"He was struck with a heart attack and passed unexpectedly. He leaves behind many sad and sorrowed people. So I'd like to ask if we could observe a moment of silence at the close of session for him. Thank you."

Representative Ward: "Mr. Speaker, a reminder from Robert Frost is that 'a diplomat is a man who always remembers a woman's birthday, but never remembers her age.' I have the honor, being the only male, to introduce the birthday of Colleen Meyer that's coming up very, very, very shortly, in a few hours. Happy birthday Colleen, from all of us."

Representative Pine: "I would also like to wish a happy birthday to the single male in our Caucus and his birthday is this Sunday. Representative Ward"

Representative Ward: "Mr. Speaker if I can rebut and reciprocate. I just happen to have the same birthday as the Maui gentleman, Mr. Angus McKelvey. Happy birthday Angus, this Sunday."

Representative Meyer: "Mr. Speaker, I want to thank Members for acknowledging my birthday. I share the same birthday with Bob Nakasone. I don't know if Bob is here today, but I certainly wish him well and I am happy to see another birthday. Thank you."

Representative Evans: "Thank you, Mr. Speaker. I wanted to invite the Members of this Chamber to Room 329 for some ice cream and a time to talk story with our Paniolo visiting today. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the late Mr. Greg Everett.

ADJOURNMENT

At 1:02 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 10, 2008. (Representatives Awana, Berg, Bertram, Cabanilla, Chang, Finnegan, Nakasone, Saiki, Takumi and Thielen were excused.)

TWENTY-EIGHTH DAY

Monday, March 10, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:24 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Pieper Toyama, Head of the Pacific Buddhist Academy, after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Carroll, Har, McKelvey and Nakasone, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Seventh Day was deferred.

GOVERNOR'S MESSAGE

The following messages from the Governor (Gov. Msg. Nos. 269 through 272) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 269, dated March 5, 2008, transmitting the Department of Human Services' Report to the Legislature as required by House Concurrent Resolution 140/House Resolution 113, House Draft 1, adopted by the 2007 Hawaii State Legislature.

Gov. Msg. No. 270, dated March 5, 2008, transmitting the Department of Human Services' Report to the Legislature as required by Act 213, Part III, Section 54, SLH 2007.

Gov. Msg. No. 271, dated March 7, 2008, transmitting the Department of Human Services' Report to the Legislature as required by section 346-7.5, Hawaii Revised Statutes.

Gov. Msg. No. 272, dated March 4, 2008, transmitting the Aloha Tower Development Corporation Annual Report 2007 (HRS 206-J).

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 362 through 366) were received and announced by the Clerk:

Sen. Com. No. 362, transmitting S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009," which was adopted by the Senate on March 7, 2008.

Sen. Com. No. 363, transmitting S.C.R. No. 47, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE U.S. NAVY'S F-14 TOMCAT IN DEFENDING FREEDOM," which was adopted by the Senate on March 7, 2008.

Sen. Com. No. 364, transmitting S.C.R. No. 52, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO IMPLEMENT PROGRAMS TO INCREASE VISITORS FROM TAIWAN, AND REQUESTING THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN," which was adopted by the Senate on March 7, 2008.

Sen. Com. No. 365, transmitting S.C.R. No. 53, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," which was adopted by the Senate on March 7, 2008.

Sen. Com. No. 366, transmitting S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT PAHOA HIGH AND INTERMEDIATE SCHOOL DEDICATE ITS GYMNASIUM IN HONOR OF FORMER REPRESENTATIVE HELENE H. HALE, BY CHANGING THE NAME OF THE GYMNASIUM TO "HELENE H. HALE GYMNASIUM"," which was adopted by the Senate on March 7, 2008.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 67) was received by the Clerk and was placed on file:

Dept. Com. No. 67, dated March 3, 2008, from the Hawaii Labor Relations Board, transmitting the HLRB Information Bulletin No. 46, which provides, by employing jurisdiction, the number of public employees in each of the 13 collective bargaining units established by Hawaii Revised Statutes.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
121	Committee on Higher Education, then jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
122	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
123	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
124	Committee on Energy & Environmental Protection, then to the Committee on Finance
125	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
126	Committee on Public Safety & Military Affairs
127	Committee on Health, then to the Committee on Consumer Protection & Commerce
128	Committee on Transportation, then to the Committee on Finance
129	Committee on Education, then to the Committee on Finance
130	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
131	Committee on Higher Education, then to the Committee on Finance
132	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Health

133 Committee on Labor & Public Employment

134 Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Finance

135 Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance

136 Committee on Higher Education, then to the Committee on Human Services & Housing, then to the Committee on Finance

139 Committee on Judiciary, then to the Committee on Finance

140 Committee on Judiciary, then to the Committee on Finance

H.C.R. Nos.	Referred to:
141	Committee on Education, then to the Committee on Energy & Environmental Protection
142	Committee on Higher Education, then jointly to the Committee on Agriculture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
143	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
144	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
145	Committee on Energy & Environmental Protection, then to the Committee on Finance
146	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
147	Committee on Public Safety & Military Affairs
148	Committee on Health, then to the Committee on Consumer Protection & Commerce
149	Committee on Human Services & Housing, then to the Committee on Finance
150	Committee on Human Services & Housing, then to the Committee on Legislative Management
151	Committee on Energy & Environmental Protection, then to the Committee on Judiciary
152	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
153	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
154	Committee on Health, then to the Committee on Consumer Protection & Commerce
155	Committee on Transportation, then to the Committee on Finance
156	Committee on Education, then to the Committee on Finance
157	Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
158	Committee on Higher Education, then to the Committee on Finance
159	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Health
160	Committee on Labor & Public Employment
161	Jointly to the Committee on Education and the Committee on Judiciary, then to the Committee on Finance
162	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
163	Committee on Higher Education, then to the Committee on Human Services & Housing, then to the Committee on Finance
164	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
165	Committee on Judiciary, then to the Committee on Finance
166	Committee on Judiciary, then to the Committee on Finance
167	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

S.C.R. Nos.	Referred to:
8	Committee on Human Services & Housing, then to the Committee on Finance
47, SD1	Committee on Public Safety & Military Affairs
52	Committee on International Affairs, then to the Committee on Tourism & Culture
53, SD1	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
57	Committee on Education

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
2579, SD2	Committee on Judiciary, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 143) was announced by the Clerk and the following action taken:

H.R. No. 143, entitled: "HOUSE RESOLUTION COMMENDING MALIA CALDWELL AND MALIA FYFFE FOR THEIR CONTRIBUTIONS TO THE CITIZENSHIP PROGRAMS OF KEALAKEHE HIGH SCHOOL AND FOR WINNING THE ANNENBERG FOUNDATION TRIP TO THE UNITED STATES SUPREME COURT," was offered by Representative Green.

Representative Green moved that H.R. No. 143 be adopted, seconded by Representative Berg.

Representative Green introduced the honorees, Ms. Malia Caldwell and Ms. Malia Fyffe who were seated on the floor of the House, and acknowledged their contributions to citizenship programs and congratulated them on winning the Annenberg Foundation trip to the United States Supreme Court.

Representative Berg further recognized Ms. Caldwell and Ms. Fyffe and introduced Mr. David Huitt, Social Studies teacher at Kealakehe High School, who was also seated on the floor of the House.

The motion was put to vote by the Chair and carried, and H.R. No. 143 was adopted with Representatives Cabanilla, Carroll, Har, McKelvey and Nakasone being excused.

The following resolution (H.R. No. 144) was announced by the Clerk and the following action taken:

H.R. No. 144, entitled: "HOUSE RESOLUTION HONORING SEAL DELIVERY VEHICLE TEAM ONE AND SEAL-NAVAL SPECIAL WARFARE FOUNDATION-HAWAII AND ITS FOUNDING BOARD MEMBERS FOR THEIR OUTSTANDING CONTRIBUTIONS, ACCOMPLISHMENTS, AND SERVICE TO OUR STATE AND NATION," was jointly offered by Representatives Mizuno, Brower, Karamatsu, Magaoay and Souki.

Representative Mizuno moved that H.R. No. 144 be adopted, seconded by Representative Brower.

Representative Mizuno recognized the Navy SEAL Delivery Vehicle Team One and commended the SEAL-Naval Special Warfare Foundation – Hawaii support group, and introduced their Board Members who were seated on the floor of the House:

President, Mr. Ron Seiple; Vice President, Mr. Brian Barbata; and Directors, Mr. Dennis Gaughan and Mr. Chad Buck.

Representative Brower also commended the Navy SEAL Delivery Vehicle Team One.

Representative Chang then introduced the honorees representing the Navy Special Forces who were also seated on the floor of the House:

Sr. Chief Brian Mulholland, and LCDR Russ Geraldi.

Representative Ward further commended Hawaii's Navy SEALs.

Representative Finnegan further thanked the SEAL-Naval Special Warfare Foundation for the support and assistance to Hawaii's SEAL members and families.

The motion was put to vote by the Chair and carried, and H.R. No. 144 was adopted with Representatives Cabanilla, Carroll, Har, McKelvey and Nakasone being excused.

At 12:46 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:56 o'clock p.m.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Awana introduced Ms. Mary Beth Seiple, wife of retired Captain Ron Seiple, president of the Naval Special Warfare Foundation.

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, Har, McKelvey, Nakasone, Nishimoto and Wakai were excused.)

THIRD READING

H.B. No. 2700, HD 1:

Representative M. Oshiro moved that H.B. No. 2700, HD 1, pass Third Reading, seconded by Representative Lee.

Representative Waters rose to speak in support of the measure, stating:

"In support, Mr. Speaker. Thank you. I'm happy and thankful to the Finance Chair, Vice Chair and Committee members for their hard work on the Judiciary budget, as well as the staff upstairs.

"I just wanted to point out a couple highlights of what this bill contains. It has an additional $1.4 million for guardians *ad litem*. Guardians *ad litem* as you know, take care of our most vulnerable members of society: our kids, our *kupuna* and our mentally challenged. It has an additional $278,000 for a new judgeship in the Hamakua-Kohala area; an additional $219,000 for equality and access to courts for the Court Interpreter Program; an additional $451,000 to expand the drug court on Maui; an additional $682,000 for repair and maintenance of aging facilities; and an additional $416,000 to increase psychiatric and psychological exams.

"Once again, this is a solid bill. It's not everything that the Judiciary asked for, but it's a good solid step in achieving their goals. Thank you."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Just short comments in support. Mr. Speaker, I would like to submit written comments, but I do just have one thing that I did bring up with the Finance Chair with regard to the Judiciary budget in general. It's basically with regard to the federal maximization, and that the Judiciary bill that we were going through earlier, how we would be able to possibly add on another $3 million in federal maximization revenues if the Judiciary cooperated with the Department of Human Services.

"So I would like to just mention that as we are having this supplemental bill for the Judiciary that that's something that we should also take a look at. Thank you."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.B. 2700 H.D. 1 which appropriates funds to the Judiciary. As we appropriate more funds to the Judiciary, I believe it is their

responsibility and obligation to at the very least apply for this type of additional revenue to our State. My reservations lie not with appropriating funds, but with the danger of losing an opportunity of receiving federal funds for similar programs. Worth exploring is testimony that was provided to the chair of House Committee on Human Services and Housing on H.B. 3135, relating to federal revenue maximization in the Judiciary. Director Lillian Koller testified that, “It is therefore, critical that the State maximize its claims for Federal reimbursements before the block grant conversion occurs.” She felt it was imperative that the Judiciary continue to pursue federal reimbursements for our children within our court systems to free up millions of dollars in the State’s general revenues before access is limited.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.B. No. 2700, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Carroll, Har, McKelvey and Nakasone being excused.

H.B. No. 2500, HD 1:

Representative M. Oshiro moved that H.B. No. 2500, HD 1, pass Third Reading, seconded by Representative Lee.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker I rise in support of this measure. Mr. Speaker, I'm standing in support of House Bill 2500, HD 1, the Executive Budget. First, let me thank the Committee Chairs for their contribution to this measure. Their insight and prioritization of programs were invaluable in crafting this budget before us this afternoon.

"And thank you also the Members of the Finance Committee. They began the careful review of the Governor's Supplemental Request four months ago in December and I believe used the Department budget briefings as opportunities to analyze and prioritize the thousands of expenditure decisions that make up the Executive Budget. Mr. Speaker they have been diligent with their responsibilities as Members of the Finance Committee and have suffered long hours without complaint, but indeed kept attentive to the hard choices before us and always respectful of differing opinions. Each in their own way Mr. Speaker, has been instrumental in prioritizing the expenditures and making these reductions. And all of them Mr. Speaker should be very proud of the work product we have before us today.

"Mr. Speaker I would like to also thank the House Finance Staff, and I'm glad they're here in the gallery with us today, for all their hard work this Session. This budget is a combination of the efforts of many, and although the budget analysts are the ones most directly involved, there are many issues in the budget that tie back to bills that we recently decked about a week ago. And none of these efforts could be possible without the backbone of the office, the young men and women who you see in the front office day-in and day-out.

"And so if you would indulge me for some time Mr. Speaker, they're in the gallery with us this afternoon and I'd like to introduce them. First the front office and please stand when your name is called: Allison Lee, Mary Ann Kawano, Jeff Yamashiro, Casey Ching, Jo Hamasaki and Tracy Kubota. Also with us are the Researchers: Nicolette Rowe, Akio Adams, Erik Abe, Stacey Tagala and Randall Hiyoto. And of course our Budget Analysts who work closely with the Finance Committee Members: Leslie Goo, Lauren Endo, Daniel Han, Hunter Gradie, Jonathan Conner, Shaun Kindred, Stan Kubota, CIP expert Puna Chai, Eric Nouchi and Michael Ng. A round of applause please.

"Thank you, Mr. Speaker. And of course the Budget Chief who's not here, Nandana Kalupahana. Mr. Speaker special recognition is also due to the Vice Chair, Representative Marilyn Lee, as she ensured that Members were well-fed, maintained their health and reminded all of us to avoid too much salt, to exercise regularly and attend to nature when she calls. She kept us moving forward during my brief absence and no better Vice Chair could one hope for.

"Mr. Speaker a year ago this Legislature was looking at robust revenue projections, and there was a lot of buzz about large surpluses. At the same time, however, there were several warning signs that the economy was beginning to slow. At this time last year, the Council on Revenues was projecting a growth at 6 percent."

Representative Luke rose to yield her time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you. However, your Committee did not believe it would last. As such last year we began the difficult task of scaling back State expenditures, while at the same time ensuring that critical programs were provided with responsible, sustainable funding.

"We ended the 2007 Regular Session with a package of bills and a budget that didn't spend everything. We left a healthy ending balance, knowing that it would be needed if revenues did not meet projections: $200 million by FY 2009, versus the Executive's $43 million. Mr. Speaker we were socially progressive, but fiscally conservative. But even that, to some, was not enough.

"Surprisingly, our actions brought a lot of criticism from the Administration. In op-eds and commentaries in local newspapers and blogs, several people in the Administration were saying that my cautious attitude about revenues was spreading 'doom and gloom' and creating unnecessary panic. They were asking: 'Why didn't we spend more? Why didn't we give bigger tax breaks? Why can't we have it all?' Mr. Speaker, politicians often get the bum rap for 'not looking ahead' or not being able to look beyond the next election. The plain and simple truth is that the budget we passed last year, set us on a solid path to avoid whole-scale, debilitating cuts to State government this year.

"Mr. Speaker, I have also heard that the Committee Report attached to this budget offends some people. If any Member of this Chamber feels offended, let me offer my sincere apology. Please know that any criticism therein was directed to the Executive Branch and not this Chamber, nor the one across the way.

"Furthermore Mr. Speaker, and importantly, it was not meant to provoke, but simply to set the record straight. Everything written in the Committee report comes from published government reports, newspaper articles, written commentaries, press releases and public speeches. It is not conjecture. It is not theory or conclusion. It is not open to interpretation. It is simple fact. And I am calling a spade, a spade.

"Mr. Speaker, as I mentioned earlier, we ended the 2007 Regular Session with a revenue projection of 6 percent for FY 2007. When the Council met at the end of May 2007, they revised that projection downward from 6 percent to 4 percent, causing an $80 million loss in projected revenue for FY 2007; and in total, a $290 million loss in projected revenue for FY 2009, the end of our budgeting cycle. When we got to the end of the fiscal year, June 30, 2007, actual revenues came in even lower than what was projected. Instead of the 4 percent projected by the Council, revenue came in at 3.4 percent. This meant that we actually collected about $100 million less than what had been projected when we ended the Session. That loss would translate out to more than $350 million by FY 2009.

"For FY 2008, revenue projections went from 6 percent at Sine Die last year, to 5.7 percent in September 2007, to the current 4.9 percent right now. In total, when you compare the Council on Revenue's

projections that we worked with last year to where we are today, there is a $414 million loss in revenue by the end of FY 2009.

"Mr. Speaker as you know, the Council is meeting again in two days. So I ask all of us in this Chamber, what do you think the Council will do? What will be the revised projections? What impact will it have upon the Budget and Financial Plan?"

Representative Mizuno rose to yield his time, and the Chair, "so ordered."

Representative M. Oshiro continued, stating:

"Thank you, Mr. Speaker. Thank you, Representative. Mr. Speaker this is not the time to say, 'I told you so.' It is also not the time to point fingers at one another. It is time to prepare ourselves for a slowing economy, make do with what we have, and live within our means. It is time to face reality. We must hope for the best, but we must prepare for the worst.

"This operating budget totals $5.3 billion in general funds, and $10.7 billion in all means of financing. Mr. Speaker, this budget cuts State government by $67 million, approximately 1.3 percent. Mr. Speaker, the budget before you cuts State government. And so people may ask, 'what are the impacts of these cuts and how will it affect people?' To be quite honest, unfortunately I don't know the particulars. I wish I did. But, I do know that someone's 'ox will be gored'. You see Mr. Speaker, I asked the Governor and her Administration to work with us, and I was told they could not reply to our request for information. In the coming days and weeks I'm sure that we'll see exactly what the impacts of these cuts are going to be. But I continue to hope that we can work together on this. It is what the public demands and expects of each and every one of us.

"Mr. Speaker, this is an honest budget. It doesn't create false expectations, or make empty promises. Moreover, I expect my counterpart in the Senate to conduct her own due diligence and independent review of this budget. I also expect she will apply the Council on Revenues March projections to the financial plan. In other words Mr. Speaker, I do not expect a 'rubber stamp' approval of the Senate.

"In closing, there will be tough economic times ahead and especially tough decisions to be made. Therefore, let us put aside false expectations and personal legacies, and brace ourselves for the inevitable economic downturn and its effects. With courage and compassion, being cordial and honest, let us pledge ourselves to work together to ensure that core government services are maintained for the health, safety and welfare of all Hawaii's people. To this end, I humbly ask for the unanimous support of all Members. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. I'm rising in support with some reservations. I too would like to thank the Finance Committee and all their staff. They have been very helpful. I think this has probably, as far as the budget briefing; it was the best I've ever sat through. You were there. And it was very helpful for everybody, all Members of the Committee.

"I also appreciate the good cheer of the staff that stays late hours; they're always helpful. And the Vice Chair definitely does make sure we have food to eat and I'm particularly fond of someone in her office that fixes fabulous salads and great soups, and so we are eating healthy over there. So that's a good thing.

"In January after the Governor submitted the Supplemental Budget, the State Council on Revenues downgraded their State revenue forecast from 5.7 percent to 4.9 percent which translates into approximately $37 million less revenue. Therefore, at a minimum, we in the House knew that we would need to trim at least $37 million from the budget. The Council on Revenues predicted a reduced growth rate, but State revenues are still growing. We are projected to take in over $5.3 billion in State taxes this fiscal year. Next year the number is closer to $5.5 billion. We are projected to cross the $6 billion threshold in four fiscal years. These numbers hold true even if the Council on Revenues revises their projections lower next week.

"But these numbers can increase if the State Department of Taxation continues to collect delinquent taxes. And the Department of Education and the Judiciary follow through in compliance with the laws we passed to task them to maximize federal revenues. And we have mentioned the latter to the Finance Chair and we will work collaboratively to make this a reality.

"But what do these revenue numbers mean? Simply, we don't have a revenue problem moving forward. Growth rates are moderate but our revenues are growing. We have a spending problem and it isn't a problem that is easily fixed. According to the Department of Budget and Finance's February 19 letter to the Chair of Finance, 83 percent of the $5.3 billion in revenue we take in, or approximately $4.5 billion rounded off, is dedicated to non-discretionary spending; that is salaries, benefits, debt service, and other entitlements such as worker's compensation, insurance, consent decrees and other mandates.

"I guess one of my reservations that I have has to do with not making certain policy decisions. I feel that we could make some different policy decisions that could help our budget situation. Let's take a look at one area. According to the same letter from the Budget Director, $169 million, and that's rounded up, is being paid out in health insurance premiums to the EUTF or the Employer-Union Trust Fund. These are the health benefits to our State workers.

"How do we reduce costs like this? One proposal we have advocated for is medical liability insurance reform. This is a prime example of how legislation has fiscal consequences and consequences on this budget bill. Proponents of medical liability reform stated earlier this Session that in Texas, which recently passed medical liability insurance reform, insurance premiums dropped from 8 percent to 16.4 percent. We know from the examples of others…"

Representative Caldwell rose to a point of order, stating:

"Mr. Speaker, point of order. I didn't know we were debating medical liability tort reform this afternoon. I think we're talking about the budget."

The Chair then stated:

"Yes. But the Chair will allow the Minority Floor Leader to continue her dissertation based on the fact that it is tied to the budget. Please proceed."

Representative Meyer continued, stating:

"Thank you, Mr. Speaker. This is just an example of how we could cut some costs. We know from the examples of other States that medical liability insurance premiums, healthcare prices and health insurance premiums drop when medical liability insurance reform is enacted. So let's take the lower number, 8 percent. If that reduction in medical liability insurance premiums translates into a 2 percent in health insurance premiums, guess what? On our current health insurance price tag, that translates into a $3.4 million reduction in the amount we have to pay into the EUTF. And that's a big number."

Representative Ching rose to yield her time, and the Chair, "so ordered."

Representative Meyer continued, stating:

"Add that to the $10 million in potential federal revenue that the Department of Education is not drawing, and the $3 million in potential federal revenue that the Judiciary is not even attempting to

draw, and you're looking at a revenue increase of approximately $16 million, or almost half of the currently projected revenue shortfall. That's just one of my concerns. Thank you, Mr. Speaker."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes Mr. Speaker. I also want to thank the Finance Chair and the staff for their hard work. I do support this budget with some reservations.

"As I mentioned in the budget Committee, I did have a lot of reservations that cuts were made and things were added that were not the priority of the various departments that often know their departments better than us.

"I expressed a lot of concern about the $50 million reduction in the Dwelling Unit Revolving Fund. There is talk that the Conveyance Tax was going to infuse more money, but in speaking with the Governor's Office, they said they already made that calculation and needed this additional $50 million so they can eventually transfer the people that are in the current homeless shelters to affordable housing, and they needed to start building those right away to make that transfer.

"I'm very concerned that $50 million, instead of funding affordable housing, that we decide for the same amount of money to fund a high-technology park that's listed in our budget on page 87. This is not a priority of any department, and we already have a high-tech park in Mililani.

"I'm very concerned about the 50 percent reduction in the maintenance of dams, which would amount to $7.265 million. I know that not every legislator has a dam in their district, but it wasn't that long ago that the Kaloko Dam incident took place. So I'm very concerned about that cut.

"I'm also concerned about the reduction in funding to program areas such as in EDN 400 and EDN 500, which supplies funding for School Food Services for our *keiki*, as well as transportation and after-school programs for our *keiki* as well.

"On page 5 of the Conference Committee Report it says, 'This budget does not contain any frivolous new proposals, but fulfills the basic needs to ensure sustainability. Such sustainability is needed, for as Hawaii's economy continues to grow, there are the signs on the horizon. Indeed your Committee would be remiss if it failed to soberly face the challenges ahead. As a result, your Committee has crafted a balanced budget that reflects the economic realities before us, while providing for the critical needs and demands of our communities.'

"So what did we cut? We particularly focused on the Department of Education. We eliminated the funding for Kapaa Elementary School's library, which is number 24 on the DOE's priority list. This is one of my many disagreements with the new House version of the budget.

"It eliminated funding for Konawaena Middle's locker room building, which is number 28 on the DOE's priority list.

"The new budget eliminated design funds for Kaunakakai Elementary School's new classroom buildings, which is number 24 on the DOE's priority.

"The new budget eliminated planning and design funds for Kapolei II Elementary School, which is a concern I know from the Kapolei Representative, but she's not here so I'll speak for her in protest of this cut. This was number 26 on the DOE's priority list.

"The new budget also eliminated from the Governor's budget all funding for Kihei High School, which is number 33 on the DOE's priority list.

"Together these projects account for $41,530,000 that were priorities in the Governor's budget. Our Report said that there's no frivolous things being spent, but I have to disagree.

"So instead of funding these needed things for various schools, this new budget provides $1.7 million for a new synthetic turf field for Leilehua High School's stadium. It gives $930,000, almost $1 million for another synthetic turf field for Mililani High School stadium, and another turf field for Castle High School's football field for another $700,000.

"I'm very concerned about what was cut and what's being funded in its place. Again I highly respect the Committee Members and those who worked hard on the budget, but I respectively disagree with these cuts."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with a few brief comments in support. Mr. Speaker, I first applaud the fiscal conservativeness as expressed by the Chair of Finance. It's greatly appreciated. I certainly applaud his macro-financial perspective, it's very encouraging. I don't always agree with some of the micro perspectives that's following that, but it's very appreciated in the approach that was taken by this budget.

"And the approach that was filled with energy and openness, that was especially refreshing and thanks to the Chair and the staff and all the people who were very helpful to make sure that we know what we are talking about. Mr. Speaker, you and I know, as you've been the past Chair of the budget, there's a lot of mystery and 'mumbo-jumbo' if you will, in the budget. It's still not fully transparent. We are getting closer, and it's very, very encouraging, even with the GIA full-day session on Saturday. We're progressing. Someday there may be a one-stop website to show all government spending under one Internet address.

"But with that Mr. Speaker, I think we have a long way to go, and I want to express two disappointments with this budget. Number one is timing. In a matter of 48 hours, the Council on Revenues is going to meet. Why do we have to have such important discussions as we are today, two days away from what otherwise they may cut a percentage or two percentage? One percentage cut is about $50 million. So in a way, we're all kind of talking speculative, in that the Constitution says the Council on Revenues are the ones that dictate how much money we are going to spend. So I feel like structurally, yes we're going to get our leg up and get the Senate to know and react and the Executive. But there seems to be a better way of timing in order to get that information using objective, factual information from the Council on Revenues before we do this.

"My second disappointment in a way was kind of cut in half by the apology from the Finance Chair. I thought the tenor and tone of the Finance Committee Report for the budget was just scurrilous, it was just harsh, it was critical. But the good gentleman, the Finance Chair has apologized and I think that's sufficient, however I would like to see his floor speech inserted in the Committee budget as a way of compensating what otherwise was full with IFL-phobia, that is the 'irrational fear of Lingle' that kind of got written all over the budget report Mr. Speaker.

"And I want to thank you for sitting in on the session on the Saturday before last, and that added to I think the objective production in this process. For those reasons Mr. Speaker, I will vote with reservations."

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker I'd like to speak in favor of the budget. Mr. Speaker, our State and our nation have enjoyed unprecedented prosperity over the past decade. However, world events including a prolonged war in

Iraq costing over $10 billion a month, unstable conditions in the Middle East, coupled with steady increases in the price of oil, have resulted in a weakening U.S. economy, the fall of the dollar to a record low of 1.51 against the Euro, and a less positive outlook for our State in the near term.

"Hawaii has escaped the brunt of the sub-prime mortgage crisis and resultant credit freezes, and according to recent reports, many businesses are thriving. Still there is concern about declining revenues, a downturn in construction and real estate sales, and fears that worsening conditions on the mainland may impact Hawaii soon. Most of us, as we have heard, are awaiting the coming projections of the Council on Revenues with increasing anxiety because as we know each percentage up or down means $45 million.

"Yet there is room for optimism and good reason to support this thoughtful and carefully prepared budget. Members of Finance will tell you they had an opportunity to look at the budget line by line, and to make suggestions at that time. Departments and the Administration were also clearly asked for their input and in many cases, more than once. Members heard budget wish lists during the Budget briefings. Priorities were set such as the strong support for lower and higher education, the environment, homelessness and affordable housing, and improved access to emergency and medical services, addressing Hawaiian issues, promoting sustainability and energy conservation.

"No credible budget in the House would be possible if it were not for the amazingly talented, bright and patient Finance staff. The opportunity to work with them is golden, and I do mean it. However, budgets such as this in the year of declining revenues and increased costs will need the full cooperation of all, not only in coming forth with full disclosure, but also looking at ways to increase productivity without increasing costs.

"In closing, Mr. Speaker, kudos to the Chair of Finance whose can-do attitude constitutes the heart of this budget. I urge the Member's support. Thank you."

Representative Wakai rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. I rise in support of the budget. Mr. Speaker it's easy to criticize those who come up with the State budget. The Representative from Hauula was correct when she said the State has a spending problem. So let's explore that statement.

"Governor Lingle came into office after the 2002 General Election. The budget submitted at that time was $3.47 billion. The budget submitted by Governor Lingle this year was $5.3 billion. Over the six years with Governor Lingle, the budget has grown by $1.9 billion or about 9 percent per year. Under the Cayetano Administration, the budget grew from $3.12 billion, to $3.43 billion. Under his eight years as governor, Governor Cayetano's budget grew by $319 million or about 1.2 percent.

"The State budget has grown nearly seven times as much under Governor Lingle's Administration and we still have two more years to go. So the numbers don't lie. The Administration certainly has and does have a spending problem and needs to be placed on a South Beach spending diet.

"After the past six years, the Legislature has been hard pressed to keep the size of the government from actually ballooning over the past six years, and this is certainly a new beginning for Hawaii. Under the Administration, we are moving Hawaii forward, forward into deeper and deeper debt. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. I wanted to comment in regard to, or make a quick response in regard to it's the Governor's fault that we have all this increased spending. But I thought that it was the Legislature that controlled the House purse strings, as we have been reminded over and over and over and over again on this House Floor, how we have the control, how we are the people who appropriate cash or any money. So I just want to keep that in mind that if that's what you want to say, it takes two for that dance.

"But I do want to talk about this a little more. I do want to say that I think that there was a lot of thoughtfulness and this budget was put together very carefully. I appreciate, not only the intent, but all of the work that was put into this from everyone here. I also do have to thank at this moment our House Minority Staff because they really worked hard for us. We don't have that big of a staff, but we do a lot with them and that's with Boyd Akase and all the team members upstairs and I'd like to put in all of their names individually since they're not here for me to recognize. But they really worked hard on this, in combination with working on all the other Committees at the same time.

"Mr. Speaker what I would like to comment on is just elimination of vacancies and those position. And just in my reservations talk about some of the things that we are eliminating and just does not have an explanation as to why we are doing it, but in the making of this budget, because I realize it is a process and it's not going to end until later on in this Legislative Session that I wanted to bring up a couple things. The Department of Commerce and Consumer Affairs, I don't understand why they're targeted with the reduction in vacancy for positions that are notoriously difficult to fill due to the specific job requirements.

"First as everyone knows in this Chamber, or should know, they are funded through the Compliance Resolution Fund, the special fund into which all their fees are deposited. Secondly, we are still running at a very low unemployment number, still below 3 percent. Again the specific and technical nature of some of the 32 vacancies eliminated under the DCCA and the small labor pool, it would make sense that these vacancies would have gone unfilled for some time. The point with making is that that's not a part of the general fund. So if there are plans to do like raiding of the Compliance Resolution Fund to put it into the general fund, that should be made known. If not, then those vacancies shouldn't be eliminated.

"Mr. Speaker also while it is understandable to reduce General Fund appropriations from the departments, why would you reduce federal funding authorization from the Department of Human Services, the Department of Health and the Attorney General? Some of these vacancies are also of a technical nature, making them difficult to fill, but these vacancies are also funded with federal money. Are we contemplating giving the $1.5 million in federal money back, rather than providing social services, healthcare and law enforcement services? Mr. Speaker, I think we've come across that before in the past with the elimination of these federal funded positions. We came across that in years past and I just want to remind us that we are still facing those same situations of federally funded vacancies.

"And then the third thing in regard to vacancies is just as it was explained in testimony in the Finance Committee from my understanding that some of these vacancies actually have warm bodies. Somehow there are warm bodies in these positions, or some are currently in the recruitment process, or some of them, offers have been made and maybe they're under negotiations. So what may look like vacancies to us are not necessarily vacancies to these different departments. So as we move forward in this budget in the making, I just would appreciate maybe some of the review of some of these issues. Thank you."

Representative Finnegan submitted the names of the House Minority Research Staff as follows:

Boyd Akase, James Delavan, Nadine Nishioka, Michele Van Hessen, Candace Kelsey, Anthony Davis, Jayna Reynon, Tracy Okubo, Krystal Leong, and Rito Saniatan.

Representative Bertram rose to speak in support of the measure with reservations, stating:

"Thank you. I rise in support with a reservation of course, for the elimination of Kihei High School funds from the budget. Kihei has been without a high school for a really long time. Right now traffic congestion is terrible from having to bus and drive these folks over to the other side of the island, up to 1,000 kids.

"However, actually, one of the things that I keep telling my constituents is, don't rely on the State. The State really doesn't have the money. We don't. And the thing that we've done is we've worked with private developers. We built our middle school this way. He built the school. He financed it and then leased it back to the Department of Education. That's actually the way we wanted to go with our high school. Unfortunately the DOE stepped up and wanted to do it the normal way. If anything, this reiterates that this is not the way to do it anymore. We really do have to look at public-private partnerships to accomplish anything. I'm only hoping that this is going to inspire us to work with the developer who did do our middle school to actually step forward and help us reiterate and get a new project together to actually build our school ourselves.

"I think more and more that as communities realize the tight financial situations we're in, it really is going to take that kind of dedication toward public-private partnerships that's going to make the difference. So I actually thank them for eliminating it at this point just to encourage more and more of these types of situations. Thank you."

At this time, Representative Saiki called for the previous question, seconded by Representative Sagum, and by unanimous consent, the motion carried.

The motion was put to vote by the Chair and carried, and H.B. No. 2500, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Third Reading by a vote of 46 ayes, with Representatives Cabanilla, Carroll, Har, McKelvey and Nakasone being excused.

At 1:36 o'clock p.m., the Chair noted that the following bills passed Third Reading:

H.B. No. 2700, HD 1
H.B. No. 2500, HD 1

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 139 through 142) and concurrent resolutions (H.C.R. Nos. 164 through 170) were referred to Printing and further action was deferred:

H.R. No. 139, entitled: "HOUSE RESOLUTION REQUESTING A TASK FORCE TO DETERMINE AND REPORT THE COST OF FUNDING A CONSTITUTIONAL CONVENTION IN THE STATE OF HAWAII," was jointly offered by Representatives Belatti, Meyer, Wakai, Ward, Brower, Luke, Marumoto, Nishimoto, B. Oshiro, Rhoads, Sagum, Saiki and Takamine.

H.R. No. 140, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE CREATION OF A FOURTH CIRCUIT COURT TO BE LOCATED AT THE KAPOLEI COURT COMPLEX," was jointly offered by Representatives Har, Awana, Karamatsu, Magaoay, Manahan, McKelvey, B. Oshiro, Shimabukuro, Waters, Yamane, Chang, Chong, Ito, Lee, M. Oshiro and Rhoads.

H.R. No. 141, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO CONDUCT A FULL INVESTIGATION INTO THE CAUSES OF ILLNESSES REPORTED BY STUDENTS AND TEACHERS AT WAIMEA CANYON MIDDLE SCHOOL DURING OCCASIONS IN 2006, 2007, AND 2008," was jointly offered by Representatives Sagum and Morita.

H.R. No. 142, entitled: "HOUSE RESOLUTION URGING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION TO IMPLEMENT A PLAYOFF SYSTEM TO DETERMINE A NATIONAL CHAMPION IN THE FOOTBALL BOWL SUBDIVISION OF COLLEGIATE FOOTBALL," was jointly offered by Representatives Takai, Awana, Brower, Ching, Green, Karamatsu, Marumoto, Mizuno, Nishimoto, Thielen, Wakai, Waters, Chang, Evans, Hanohano, Herkes, Souki, Takamine, Tsuji, Ward and Yamashita.

H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," was jointly offered by Representatives Lee, Green and Mizuno.

H.C.R. No. 165, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO DETERMINE AND REPORT THE COST OF FUNDING A CONSTITUTIONAL CONVENTION IN THE STATE OF HAWAII," was jointly offered by Representatives Belatti, Meyer, Wakai, Ward, Brower, Luke, Marumoto, Nishimoto, B. Oshiro, Rhoads, Sagum, Saiki and Takamine.

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CREATION OF A FOURTH CIRCUIT COURT TO BE LOCATED AT THE KAPOLEI COURT COMPLEX," was jointly offered by Representatives Har, Awana, Karamatsu, Magaoay, Manahan, McKelvey, B. Oshiro, Shimabukuro, Waters, Yamane, Chang, Chong, Ito, Lee, M. Oshiro and Rhoads.

H.C.R. No. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was offered by Representative Evans.

H.C.R. No. 168, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF EDUCATION TO CONDUCT A FULL INVESTIGATION INTO THE CAUSES OF ILLNESSES REPORTED BY STUDENTS AND TEACHERS AT WAIMEA CANYON MIDDLE SCHOOL DURING OCCASIONS IN 2006, 2007, AND 2008," was jointly offered by Representatives Sagum and Morita.

H.C.R. No. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION TO IMPLEMENT A PLAYOFF SYSTEM TO DETERMINE A NATIONAL CHAMPION IN THE FOOTBALL BOWL SUBDIVISION OF COLLEGIATE FOOTBALL," was jointly offered by Representatives Takai, Awana, Brower, Ching, Karamatsu, Marumoto, Mizuno, Nishimoto, Thielen, Wakai, Waters, Chang, Evans, Green, Hanohano, Herkes, Souki, Takamine, Tsuji, Ward and Yamashita.

H.C.R. No. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," was jointly offered by Representatives Chang, Belatti, Herkes, Karamatsu, Magaoay, Manahan, Mizuno, Nishimoto, Sagum, Tokioka, Tsuji, Wakai, Brower, Ito and Sonson.

ADJOURNMENT

At 1:37 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, March 11, 2008. (Representatives Cabanilla, Carroll, Har, Herkes, McKelvey and Nakasone were excused.)

TWENTY-NINTH DAY

Tuesday, March 11, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Roy M. Takumi, after which the Roll was called showing all members present with the exception of Representatives Berg, Carroll, Har, Magaoay and Sagum, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Eighth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 367 and 368) were received and announced by the Clerk:

Sen. Com. No. 367, transmitting S.C.R. No. 24, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION DESIGNATING THE FIRST WEEK IN FEBRUARY 2009 AS HAWAII TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK," which was adopted by the Senate on March 10, 2008.

Sen. Com. No. 368, transmitting S.C.R. No. 54, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE ALOHA TOWER DEVELOPMENT CORPORATION, PARTICULARLY WITH REGARD TO LAWSUITS RELATING TO DEVELOPMENT PROJECTS," which was adopted by the Senate on March 10, 2008.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Pine, on behalf of Representative Cabanilla and herself, introduced students from Campbell High School.

Representative Cabanilla introduced the teachers of Campbell High School; Principal, Ms. Gail Awakuni; and former Vice Principal, Mr. Ilalo Parayno.

Representative Thielen introduced Mr. Henry Curtis, Executive Director of Life of the Land.

Representative Chang introduced Ms. Beverly Nelson, Executive Director of Four Corners International LLC from Washington, D.C.; Mr. Michael Hamnett, Executive Director of the Research Corporation of the University of Hawaii; and Mr. James Pu, Ph.D. of China, CEO of Wilmington Information Systems Inc.

Representative Berg introduced Mr. Jonathan Kathrein, Executive Director of Future Leaders for Peace.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
141	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance
142	Committee on Higher Education
145	Committee on Transportation, then to the Committee on Consumer Protection & Commerce
146	Committee on Judiciary
147	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
148	Committee on Public Safety & Military Affairs
149	Committee on Public Safety & Military Affairs, then to the Committee on Finance
150	Committee on Tourism & Culture, then to the Committee on Finance
151	Committee on Tourism & Culture
152	Committee on Energy & Environmental Protection, then to the Committee on Finance
153	Committee on Judiciary, then jointly to the Committee on International Affairs and the Committee on Tourism & Culture
154	Committee on International Affairs, then to the Committee on Judiciary
155	Committee on Tourism & Culture
156	Committee on Tourism & Culture
157	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
158	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs
159	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
160	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
161	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
162	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

H.C.R. Nos.	Referred to:
168	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

169 Committee on Higher Education

170 Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance

171 Committee on Transportation, then to the Committee on Consumer Protection & Commerce

172 Committee on Human Services & Housing, then to the Committee on Legislative Management

173 Committee on Judiciary

174 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance

175 Committee on Public Safety & Military Affairs

176 Committee on Public Safety & Military Affairs, then to the Committee on Finance

177 Committee on Tourism & Culture, then to the Committee on Finance

178 Committee on Tourism & Culture

179 Committee on Energy & Environmental Protection, then to the Committee on Finance

180 Committee on Judiciary, then jointly to the Committee on International Affairs and the Committee on Tourism & Culture

181 Committee on International Affairs, then to the Committee on Judiciary

182 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

183 Committee on Human Services & Housing, then to the Committee on Finance

184 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management

185 Committee on Tourism & Culture

186 Committee on Tourism & Culture

187 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

188 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs

189 Committee on Health, then to the Committee on Education

190 Committee on Human Services & Housing, then to the Committee on Judiciary

191 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

192 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

193 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

S.C.R. Nos.	**Referred to:**
24, SD1	Committee on Judiciary
54	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Transportation, then jointly to the Committee on Judiciary and the Committee on Legislative Management

COMMITTEE REASSIGNMENTS

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	**Re-referred to:**
128	Jointly to the Committee on International Affairs and the Committee on Human Services & Housing

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
409, SD2	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2083, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2293, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance
2395, SD2	Committee on Labor & Public Employment
2526, SD1	Committee on Transportation, then to the Committee on Tourism & Culture
2546, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Finance
2646, SD2	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture, then to the Committee on Finance
2896, SD2	Committee on Labor & Public Employment, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
3103, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 171) was announced by the Clerk and the following action taken:

H.R. No. 171, entitled: "HOUSE RESOLUTION RECOGNIZING MARCH 2008 AS AMERICAN RED CROSS MONTH," was offered by Representative Yamane.

Representative Yamane moved that H.R. No. 171 be adopted, seconded by Representative Yamashita.

Representative Yamane recognized the contributions of the American Red Cross and introduced the following honorees seated on the floor of the House:

Mr. John Henry Felix, Chairman Emeritus for the Hawaii Chapter;
Ms. Coralie Chun Matayoshi, Chief Executive Officer; and
Ms. Cindy Tanaka, Chief of Staff.

Representative Ward further recognized the American Red Cross and Chairman Emeritus Felix.

The motion was put to vote by the Chair and carried, and H.R. No. 171 was adopted with Representatives Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused.

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1057-08), recommending that H.R. No. 19, be referred to the Committee on Public Safety & Military Affairs; and

(Stand. Com. Rep. No. 1058-08), recommending that H.C.R. No. 19, be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 19 and H.C.R. 19, be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"I'm just rising to get ruling on a potential conflict. I'm a U.S. veteran of Filipino ancestry," and the Chair ruled, "no conflict."

Representative Cabanilla continued in support of both measures, stating:

"Thank you. And with that I stand in strong support. There were a lot of Filipinos during World War II, Mr. Speaker, who were very effective in having the United States win the Pacific battle by assisting against the occupation of the Japanese, as well as fighting for them to leave the island. And they were actually the backbone of the United States armed forces in winning the war in the Philippines. I encourage my colleges to support the measure. 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. 19, entitled: "HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO EXEMPT CHILDREN OF FILIPINO WORLD WAR II VETERANS FROM IMMIGRANT VISA LIMITS," was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused; and

H.C.R. No. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO EXEMPT CHILDREN OF FILIPINO WORLD WAR II VETERANS FROM IMMIGRANT VISA LIMITS," was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1059-08), recommending that H.R. No. 22, be referred to the Committee on Public Safety & Military Affairs; and

(Stand. Com. Rep. No. 1060-08), recommending that H.C.R. No. 22, be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 22 and H.C.R. No. 22, be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In strong support. We know that the contributions of our veterans of Filipino ancestry are great and we appreciate it. And this is a good way to start showing that we understand and appreciate them for all their sacrifices and contributions.

"But as people who might travel up the Pali Highway might take into consideration too and remember Filipino veterans, the variety of their contributions. When you pass the Filipino Consulate, one of the most beautiful, beautiful architectural buildings in the State of Hawaii, the fact that that would have been knocked down had it not been for the Filipino veterans who scrapped together what meager, little amount of money they had to come forth to save one of the last examples of that beautiful type of home. It now serves as the consulate for the Philippines. It's just a very beautiful part of our State, and its thanks to them."

Representative Mizuno rose in support of both measures and asked that the remarks of Representative Ching be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in favor of these Resolutions. I think we all appreciate the role that the Filipino troops played in fighting alongside our American troops during World War II. But I just want to add a postscript to that, I feel that they deserve the same pension, burial and other veterans' benefits that American troops have received. They have been promised many of these benefits, but it was rescinded in the late '40s. I feel very badly that they have never been restored. Hopefully they will be in the very near future before they all pass away."

Representative Ward rose in support of the measure and asked that the remarks of Representative Marumoto be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 22, entitled:

"HOUSE RESOLUTION PROCLAIMING THE MONTH OF JUNE 2008 AS FILIPINO VETERANS APPRECIATION MONTH," was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused; and

H.C.R. No. 22, entitled: "HOUSE CONCURRENT RESOLUTION PROCLAIMING THE MONTH OF JUNE 2008 AS FILIPINO VETERANS APPRECIATION MONTH," was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused.

Representative Cabanilla, for the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1061-08), recommending that H.R. No. 39, as amended in HD 1, be referred to the Committee on Judiciary; and

(Stand. Com. Rep. No. 1062-08), recommending that H.C.R. No. 39, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 39, HD 1, and H.C.R. No. 39, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures, stating:

"I rise in support of Stand. Com. Nos. 1061 and 1062, Condemning the Human Rights Atrocities Against the Children of Northern Uganda. In strong support. First to thank Representative Mizuno for the compassion that he initiated this with, with HPU students, with Kalani and with the sense of what otherwise is invisible to many people's eyes in too many parts of the word. To draw attention on something that is going on as we speak, Mr. Speaker.

"Growing up in some parts of Africa is hard enough in and of itself. But growing up in Uganda, particularly Northern Uganda around the Gulu area is really difficult. In the middle of the night you can find yourself kidnapped, raped, dragged, thugged, have a rifle stuck in your hand and suddenly you're a mercenary solider at the whim of the Lord's Army. What these Resolutions do Mr. Speaker, is tell the Lord's Army that what has been going on for decades against Musuveni and whoever has been there, to cease and desist. It asks the Congress to continue with humanitarian aid.

"Having been a United Nations advisor in Uganda for a couple of months, I know personally that some of these atrocities are real, some of the things that are said in these Resolutions are actual. And some of the things in fact are even worse. The bottom line is that this is for the sake of the children in Uganda. It's what we have in one of our communities, *kodomo no tame ni*, for the sake of the children. We sacrifice, we provide for them and this Resolution is one gesture in that direction. Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker, in support of Stand. Com. Nos. 1061 and 1062. Thank you, Mr. Speaker. I'd like the thank the good Representative from Hawaii Kai who did an outstanding job crafting the House Draft 1 for both the House Resolution and House Concurrent Resolution. I think it's an example of a bi-partisan work product. Both working well together in crafting a very good Resolution. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 39, HD 1, entitled: "HOUSE RESOLUTION CONDEMNING THE HUMAN RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA," was referred to the Committee on Judiciary with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused; and

H.C.R. No. 39, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA," was referred to the Committee on Judiciary with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1063-08) recommending that S.B. No. 988, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 988, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," was referred to the Committee on Finance with Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 145 through 170) and concurrent resolutions (H.C.R. Nos. 171 through 201) were referred to Printing and further action was deferred:

H.R. No. 145, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE ADVANTAGES AND DISADVANTAGES OF ADOPTING THE ENGLISH MARINE INSURANCE ACT, 1906," was offered by Representative Luke.

H.R. No. 146, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY AND RECOMMEND WHETHER LEGISLATION ESTABLISHING A REVOCABLE BENEFICIARY DEED SHOULD BE ENACTED IN HAWAII," was offered by Representative Shimabukuro.

H.R. No. 147, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE AND ESTABLISH A PILOT PROJECT TO ADDRESS THE NEEDS OF NATIVE HAWAIIAN CHILDREN IN CHILD CUSTODY PROCEEDINGS," was offered by Representative Shimabukuro.

H.R. No. 148, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO WORK WITH THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO DEVELOP METHODS OF EXPEDITING THE INSTALLATION OR CONSTRUCTION OF EMERGENCY WARNING SIRENS THROUGHOUT THE STATE TO ENSURE PUBLIC SAFETY IN THE EVENT OF DISASTER," was offered by Representative Shimabukuro.

H.R. No. 149, entitled: "HOUSE RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Awana, Berg, Bertram, Green, Herkes, Luke, Manahan, Mizuno, Morita, B. Oshiro, Shimabukuro, Takai, Belatti, Brower, Carroll, Chang, Chong, Hanohano, Karamatsu, Lee, Magaoay, Nishimoto, M. Oshiro, Sagum, Souki, Takamine, Tokioka, Tsuji, Wakai, Yamane and Yamashita.

H.R. No. 150, entitled: "HOUSE RESOLUTION SUPPORTING A HOME FOR THE AFRICAN AMERICAN DIVERSITY CULTURAL CENTER HAWAII," was jointly offered by Representatives Karamatsu, Caldwell, Souki, Tsuji, Chong, Ito, Magaoay, Sagum, Say, Tokioka, Yamane and Yamashita.

H.R. No. 151, entitled: "HOUSE RESOLUTION URGING THE NATIONAL FOOTBALL LEAGUE TO CONTINUE ITS RELATIONSHIP WITH THE STATE OF HAWAII THROUGH ITS ANNUAL PRO BOWL GAME AT ALOHA STADIUM," was jointly offered by Representatives Tokioka, Caldwell, Chang, Evans, Green, Ito, Karamatsu, Magaoay, Manahan, Morita, Say, Shimabukuro, Tsuji, Waters, Yamane, Yamashita and Herkes.

H.R. No. 152, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A GLOBAL WARMING TASK FORCE TO ASSESS THE IMPACTS OF GLOBAL WARMING ON THE STATE," was offered by Representative Karamatsu.

H.R. No. 153, entitled: "HOUSE RESOLUTION REQUESTING THE GENERAL ASSEMBLY OF THE UNITED NATIONS TO OFFICIALLY COMMEMORATE COCKFIGHTING AS A GLOBAL SPORT," was jointly offered by Representatives Cabanilla, Sonson, Awana, Bertram, Evans, Finnegan, Hanohano, Herkes, Souki and Ward.

H.R. No. 154, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT OF 1982," was jointly offered by Representatives Cabanilla, Awana, Brower, Pine, Sonson, Evans, Hanohano, Lee, Luke and Souki.

H.R. No. 155, entitled: "HOUSE RESOLUTION PROMOTING HAWAII AS THE WORLD'S INTERFAITH HARMONY CAPITAL," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Ward.

H.R. No. 156, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A STATEWIDE INTERFAITH STEERING COMMITTEE," was jointly offered by Representatives Mizuno, Hanohano, Awana, Brower and Ward.

H.R. No. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was jointly offered by Representatives Mizuno, Awana, Green, Brower and Magaoay.

H.R. No. 158, entitled: "HOUSE RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was jointly offered by Representatives Mizuno, Awana, Brower, Green and Shimabukuro.

H.R. No. 159, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH, THROUGH ITS OFFICE OF HEALTH CARE ASSURANCE TO IMPLEMENT A PROGRAM TO PROMOTE AND DEVELOP AND TO INSURE AN ADEQUATE SUPPLY OF ELDERLY HEALTH CARE FACILITIES AND SERVICES BY PROVIDING EDUCATION, TRAINING AND SUPPORT TO THE HEALTH CARE FACILITIES," was jointly offered by Representatives Cabanilla, Awana, Sonson, Brower, Evans, Hanohano, Lee, Luke and Souki.

H.R. No. 160, entitled: "HOUSE RESOLUTION REQUESTING COUNTIES TO DEVELOP AND IMPLEMENT PROGRAMS TO ENCOURAGE RETAILERS TO INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE ALTERNATIVES TO NON-BIODEGRADABLE PLASTIC BAGS," was offered by Representative Berg.

H.R. No. 161, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A VOLUNTARY COMPLIANCE PROGRAM TO ENCOURAGE COMMUNITIES AND BUSINESSES TO CONVERT TO EXPANDED POLYSTYRENE FOAM ALTERNATIVE PRODUCTS," was offered by Representative Berg.

H.R. No. 162, entitled: "HOUSE RESOLUTION REQUESTING STATE DEPARTMENTS AND AGENCIES TO VOLUNTARILY UTILIZE BIODEGRADABLE OR RECYCLABLE NON-POLYSTYRENE FOAM FOOD SERVICE-WARE," was offered by Representative Berg.

H.R. No. 163, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU UNDER THEIR JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," was jointly offered by Representatives Cabanilla, Sonson, Belatti, Bertram, Brower, Finnegan, Green, Marumoto, McKelvey and Ward.

H.R. No. 164, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT AND THE BOARD OF EDUCATION TO PLAN AND IMPLEMENT NOISE AND VIBRATION MITIGATION MEASURES, INCLUDING THE INSTALLATION OF AIR CONDITIONING, IN ADVANCE OF THE ACTUAL CONSTRUCTION AND OPERATION OF THE MASS TRANSIT SYSTEM ADJACENT TO WAIPAHU HIGH SCHOOL AND WAIPAHU INTERMEDIATE SCHOOL," was jointly offered by Representatives Cabanilla, Pine, Sonson, Belatti, Bertram, Finnegan, Green, Marumoto and Ward.

H.R. No. 165, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE STATE AUDITOR TO COMMISSION AN INDEPENDENT MEDICAL REVIEW OF THE APPROPRIATENESS OF THE CHART-BASED LEVEL OF CARE BY ALL MEDICAID PATIENTS WHO ARE NEONATAL OR PEDIATRIC INTENSIVE CARE PATIENTS BETWEEN THE YEARS OF 2007 AND 2000," was jointly offered by Representatives Cabanilla, Sonson, Bertram, Brower, Green, McKelvey and Marumoto.

H.R. No. 166, entitled: "HOUSE RESOLUTION REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO REPORT TO THE LEGISLATURE ON THE IMPACT OF THE STEEL WHEELS ON RAIL TECHNOLOGY PROPOSED AS THE MASS TRANSIT OPTION FOR OAHU ON WAIPAHU HIGH SCHOOL AND WAIPAHU INTERMEDIATE SCHOOL WITH RESPECT TO NOISE AND VIBRATION," was jointly offered by Representatives Cabanilla, Green, McKelvey, Pine, Sonson, Belatti, Bertram, Finnegan, Marumoto and Ward.

H.R. No. 167, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY ALL PLANNED COMMUNITY ASSOCIATIONS IN HAWAII, THEIR SIZE, AND THE LAWS UNDER WHICH THEY ARE REGULATED," was jointly offered by Representatives Cabanilla, Sonson, Bertram, Brower, Green, Marumoto, Pine and Rhoads.

H.R. No. 168, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COOPERATION AND CONJUNCTION WITH THE DEPARTMENT OF HEALTH AND APPROPRIATE WATER SAFETY ORGANIZATIONS, TO FURNISH ONBOARD A VISITOR WATER SAFETY INFORMATION MULTI-LINGUAL HANDOUT TO PROVIDE EDUCATION ON WATER RECREATIONAL HAZARDS," was offered by Representative Morita.

H.R. No. 169, entitled: "HOUSE RESOLUTION REQUESTING THE WATER BOARDS FROM EACH COUNTY TO STUDY THE FEASIBILITY OF LAUNCHING A WATER CONSERVATION PROGRAM THAT PROMOTES THE INSTALLATION OF RAINWATER CATCHMENT SYSTEMS ON RESIDENCES FOR NON-POTABLE USAGE," was offered by Representative Morita.

H.R. No. 170, entitled: "HOUSE RESOLUTION REQUESTING THE STATE TO GIVE PROCUREMENT PREFERENCE FOR TREE CUTTING AND TRIMMING SERVICES TO COMPANIES THAT DEMONSTRATE THE ABILITY AND COMMITMENT TO REUSE THE TREES FOR LUMBER AND WOOD CRAFTS, TO INVESTIGATE MODULAR BIOMASS SYSTEMS POWERED BY WOOD DEBRIS, AND TO DEVELOP PILOT PROJECTS TO INSTALL AND OPERATE SMALL BIOMASS GENERATORS AT SCHOOLS TO PRODUCE SAVINGS ON ELECTRICITY COSTS," was offered by Representative Morita, by request.

H.C.R. No. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE ADVANTAGES AND DISADVANTAGES OF ADOPTING THE ENGLISH MARINE INSURANCE ACT, 1906," was offered by Representative Luke.

H.C.R. No. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S PUNCHBOWL HOMES FACILITY," was offered by Representative Luke.

H.C.R. No. 173, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO STUDY AND RECOMMEND WHETHER LEGISLATION ESTABLISHING A REVOCABLE BENEFICIARY DEED SHOULD BE ENACTED IN HAWAII," was offered by Representative Shimabukuro.

H.C.R. No. 174, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE AND ESTABLISH A PILOT PROJECT TO ADDRESS THE NEEDS OF NATIVE HAWAIIAN CHILDREN IN CHILD CUSTODY PROCEEDINGS," was offered by Representative Shimabukuro.

H.C.R. No. 175, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO WORK WITH THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO DEVELOP METHODS OF EXPEDITING THE INSTALLATION OR CONSTRUCTION OF EMERGENCY WARNING SIRENS THROUGHOUT THE STATE TO ENSURE PUBLIC SAFETY IN THE EVENT OF DISASTER," was offered by Representative Shimabukuro.

H.C.R. No. 176, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE AND LEGISLATIVE LEADERSHIP IN THE STATE OF HAWAII TO SUPPORT THE IRAQ STUDY GROUP FINDINGS AND TO IMPLEMENT THE IRAQ STUDY GROUP RECOMMENDATIONS," was jointly offered by Representatives Takumi, Awana, Berg, Bertram, Herkes, Luke, Manahan, Mizuno, Morita, B. Oshiro, Shimabukuro, Takai, Belatti, Brower, Carroll, Chang, Chong, Green, Hanohano, Karamatsu, Lee, Magaoay, Nishimoto, M. Oshiro, Sagum, Souki, Takamine, Tokioka, Tsuji, Wakai, Yamane and Yamashita.

H.C.R. No. 177, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING A HOME FOR THE AFRICAN AMERICAN DIVERSITY CULTURAL CENTER HAWAII," was jointly offered by Representatives Karamatsu, Caldwell, Souki, Tsuji, Chong, Ito, Magaoay, Sagum, Say, Tokioka, Yamane and Yamashita.

H.C.R. No. 178, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL FOOTBALL LEAGUE TO CONTINUE ITS RELATIONSHIP WITH THE STATE OF HAWAII THROUGH ITS ANNUAL PRO BOWL GAME AT ALOHA STADIUM," was jointly offered by Representatives Tokioka, Caldwell, Chang, Green, Ito, Karamatsu, Magaoay, Manahan, Morita, Say, Shimabukuro, Tsuji, Waters, Yamane, Yamashita, Evans and Herkes.

H.C.R. No. 179, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A GLOBAL WARMING TASK FORCE TO ASSESS THE IMPACTS OF GLOBAL WARMING ON THE STATE," was offered by Representative Karamatsu.

H.C.R. No. 180, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GENERAL ASSEMBLY OF THE UNITED NATIONS TO OFFICIALLY COMMEMORATE COCKFIGHTING AS A GLOBAL SPORT," was jointly offered by Representatives Cabanilla, Sonson, Awana, Bertram, Evans, Finnegan, Hanohano, Herkes, Souki and Ward.

H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT OF 1982," was jointly offered by Representatives Cabanilla, Awana, Brower, Pine, Sonson, Evans, Hanohano, Lee, Luke and Souki.

H.C.R. No. 182, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH, THROUGH ITS OFFICE OF HEALTH CARE ASSURANCE TO IMPLEMENT A PROGRAM TO PROMOTE AND DEVELOP AND TO INSURE AN ADEQUATE SUPPLY OF ELDERLY HEALTH CARE FACILITIES AND SERVICES BY PROVIDING EDUCATION, TRAINING AND SUPPORT TO THE HEALTH CARE FACILITIES THEY REGULATE," was jointly offered by Representatives Cabanilla, Awana, Sonson, Brower, Evans, Hanohano, Lee, Luke, Pine and Souki.

H.C.R. No. 183, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO REDESIGNATE THE YEAR OF THE FAMILY AND TO MOVE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009," was jointly offered by Representatives Mizuno, Awana, Brower, Green and Shimabukuro.

H.C.R. No. 184, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," was jointly offered by Representatives Mizuno and Awana.

H.C.R. No. 185, entitled: "HOUSE CONCURRENT RESOLUTION PROMOTING HAWAII AS THE WORLD'S INTERFAITH HARMONY CAPITAL," was jointly offered by Representatives Mizuno, Awana, Brower, Hanohano and Ward.

H.C.R. No. 186, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A STATEWIDE INTERFAITH STEERING COMMITTEE," was jointly offered by Representatives Mizuno, Hanohano, Awana, Brower and Ward.

H.C.R. No. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was jointly offered by Representatives Mizuno, Awana, Brower, Green and Magaoay.

H.C.R. No. 188, entitled: "HOUSE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was jointly offered by Representatives Mizuno, Awana, Brower, Green and Shimabukuro.

H.C.R. No. 189, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO DEVELOP NUTRITIONALLY-SOUND PUBLIC SCHOOL MENU PLANS THAT GIVE STUDENTS THE OPTION OF A VEGETARIAN SCHOOL LUNCH MEAL," was jointly offered by Representatives Mizuno, Awana, Green, Shimabukuro and Brower.

H.C.R. No. 190, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND CHILD WELFARE SERVICES CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH," was jointly offered by Representatives Mizuno, Awana, Green, Shimabukuro and Brower.

H.C.R. No. 191, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COUNTIES TO DEVELOP AND IMPLEMENT PROGRAMS TO ENCOURAGE RETAILERS TO INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE ALTERNATIVES TO NON-BIODEGRADABLE PLASTIC BAGS," was offered by Representative Berg.

H.C.R. No. 192, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A VOLUNTARY COMPLIANCE PROGRAM TO ENCOURAGE COMMUNITIES AND BUSINESSES TO CONVERT TO EXPANDED POLYSTYRENE FOAM ALTERNATIVE PRODUCTS," was offered by Representative Berg.

H.C.R. No. 193, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING STATE DEPARTMENTS AND AGENCIES TO VOLUNTARILY UTILIZE BIODEGRADABLE OR RECYCLABLE NON-POLYSTYRENE FOAM FOOD SERVICE-WARE," was offered by Representative Berg.

H.C.R. No. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU UNDER THEIR JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," was jointly offered by Representatives Cabanilla, Sonson, Belatti, Bertram, Brower, Finnegan, Green, Marumoto, McKelvey and Ward.

H.C.R. No. 195, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT AND THE BOARD OF EDUCATION TO PLAN AND IMPLEMENT NOISE AND VIBRATION MITIGATION MEASURES, INCLUDING THE INSTALLATION OF AIR CONDITIONING, IN ADVANCE OF THE ACTUAL CONSTRUCTION AND OPERATION OF THE MASS TRANSIT SYSTEM ADJACENT TO WAIPAHU HIGH SCHOOL AND WAIPAHU INTERMEDIATE SCHOOL," was jointly offered by Representatives Cabanilla, Pine, Sonson, Belatti, Bertram, Finnegan, Green, Marumoto and Ward.

H.C.R. No. 196, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE STATE AUDITOR TO COMMISSION AN INDEPENDENT MEDICAL REVIEW OF THE APPROPRIATENESS OF THE CHART-BASED LEVEL OF CARE BY ALL MEDICAID PATIENTS WHO ARE NEONATAL OR PEDIATRIC INTENSIVE CARE PATIENTS BETWEEN THE YEARS OF 2007 AND 2000," was jointly offered by Representatives Cabanilla, Sonson, Brower, Green, Marumoto and McKelvey.

H.C.R. No. 197, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNCIL OF THE CITY AND COUNTY OF HONOLULU TO REPORT TO THE LEGISLATURE ON THE IMPACT OF THE STEEL WHEELS ON RAIL TECHNOLOGY PROPOSED AS THE MASS TRANSIT OPTION FOR OAHU ON WAIPAHU HIGH SCHOOL AND WAIPAHU INTERMEDIATE SCHOOL WITH RESPECT TO NOISE AND VIBRATION," was jointly offered by Representatives Cabanilla, Green, McKelvey, Sonson, Belatti, Bertram, Finnegan, Marumoto, Pine and Ward.

H.C.R. No. 198, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO IDENTIFY ALL PLANNED COMMUNITY ASSOCIATIONS IN HAWAII, THEIR SIZE, AND THE LAWS UNDER WHICH THEY ARE REGULATED," was jointly offered by Representatives Cabanilla, Sonson, Bertram, Brower, Green, Pine and Rhoads.

H.C.R. No. 199, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COOPERATION AND CONJUNCTION WITH THE DEPARTMENT OF HEALTH AND APPROPRIATE WATER SAFETY ORGANIZATIONS, TO FURNISH ONBOARD A VISITOR WATER SAFETY INFORMATION MULTI-LINGUAL HANDOUT TO PROVIDE EDUCATION ON WATER RECREATIONAL HAZARDS," was offered by Representative Morita.

H.C.R. No. 200, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WATER BOARDS FROM EACH COUNTY TO STUDY THE FEASIBILITY OF LAUNCHING A WATER CONSERVATION PROGRAM THAT PROMOTES THE INSTALLATION OF RAINWATER CATCHMENT SYSTEMS ON RESIDENCES FOR NON-POTABLE USAGE," was offered by Representative Morita.

H.C.R. No. 201, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE TO GIVE PROCUREMENT PREFERENCE FOR TREE CUTTING AND TRIMMING SERVICES TO COMPANIES THAT DEMONSTRATE THE ABILITY AND COMMITMENT TO REUSE THE TREES FOR LUMBER AND WOOD CRAFTS, TO INVESTIGATE MODULAR BIOMASS SYSTEMS POWERED BY WOOD DEBRIS, AND TO DEVELOP PILOT PROJECTS TO INSTALL AND OPERATE SMALL BIOMASS GENERATORS AT SCHOOLS TO PRODUCE SAVINGS ON ELECTRICITY COSTS," was offered by Representative Morita, by request.

ANNOUNCEMENT

Representative Lee: "Mr. Speaker. The Rev. Frank Chong, who was a tireless advocate for the uninsured, the homeless, the needy, the frail, the elderly and the goals and mission for the American Cancer Society, lost his battle with cancer this week. Memorial Services will be held at Central Union Church at 5 p.m. March 19th. Mr. Speaker, at the appropriate time may we have a moment of silence in his memory."

At this time, the House of Representatives stood for a moment of silence in memory of the late Reverend Frank Chong.

ADJOURNMENT

At 12:41 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 12, 2008. (Representatives Belatti, Carroll, Chang, Har, Magaoay, Nakasone, Sagum and Saiki were excused.)

THIRTIETH DAY

Wednesday, March 12, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Reverend John R. Heidel, Ph.D. of Interfaith Alliance Hawaii, after which the Roll was called showing all members present with the exception of Representatives Bertram, Green, Ito, Magaoay, Shimabukuro, Sonson and Ward, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Twenty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following message from the Governor (Gov. Msg. No. 273) was received and announced by the Clerk:

Gov. Msg. No. 273, dated February 29, 2008, transmitting the Department of Taxation's Hawaii Income Patterns Individuals – 2005 Report.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 369 through 371) were received and announced by the Clerk:

Sen. Com. No. 369, transmitting S.C.R. No. 7, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND COUNTIES TO COMPILE AN INVENTORY OF ABANDONED, EXCESS, AND UNDERUTILIZED PROPERTIES UNDER THEIR RESPECTIVE JURISDICTIONS," which was adopted by the Senate on March 11, 2008.

Sen. Com. No. 370, transmitting S.C.R. No. 26, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AND COUNTIES TO PROVIDE FOR THE SHARING OF THE SAME LOCATION FOR EDUCATIONAL, RECREATIONAL, HEALTH, AND HUMAN SERVICES PROGRAMS IN ABANDONED, EXCESS, AND UNDERUTILIZED PROPERTIES UNDER THEIR RESPECTIVE JURISDICTIONS," which was adopted by the Senate on March 11, 2008.

Sen. Com. No. 371, transmitting S.C.R. No. 44, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO AUTHORIZE THE ESTABLISHMENT OF A NATIONAL MONUMENT FOR WOMEN IN WASHINGTON, D.C., TO RECOGNIZE AND HONOR THE LEADERSHIP CONTRIBUTIONS OF AMERICA'S WOMEN," which was adopted by the Senate on March 11, 2008.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative B. Oshiro introduced faculty and students from the University of the Ryukyus School of Law in Okinawa, Japan. They were accompanied by Mr. Spencer Kimura, Director at the UH William S. Richardson School of Law.

Faculty: Dean Tetsumi Takara; and Professors Masanori Takeda and Yuuji Fujita.

Students: Shoichiro Kochi, Kei Saitoh, Noriko Tamaki, Nariko Tawata, Tsuneo Kurihara, Yuuya Nozaki, and Makoto Kurauchi.

Representative Berg introduced members of the University of Hawaii at Hilo Student Association: President Lani Thur-Fine, Legislative Delegate Justin Avery, and Data Director Ho'omano Pakele.

Representative Sagum introduced Mr. James Coon of Maui, member of the Marine and Coastal Zone Management Advisory Group.

Representative Chang introduced his friend and Hilo High School classmate, Mr. Glenn Uemura from Grants Pass, Oregon.

Representative Ward introduced small business advocate and constituent, Mr. Tim Lyons.

Representative Thielen introduced her legislative analyst, Ms. Michele Chess-McCoy along with her parents, Sonia and Joseph Chess.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution was re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
57	Committee on Consumer Protection & Commerce

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
2160, SD2	Committee on Health, then jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Finance
2545	Committee on Higher Education, then to the Committee on Finance

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1064-08) recommending that S.B. No. 2982, pass Second Reading and be referred to the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2982, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Human Services & Housing with Representatives Magaoay and Sonson being excused.

INTRODUCTION OF RESOLUTIONS

By unanimous consent, the following resolutions (H.R. Nos. 172 through 309) and concurrent resolutions (H.C.R. Nos. 202 through 373) were referred to Printing and further action was deferred:

H.R. No. 172, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ADOPT THE "NA HONUA MAULI OLA: HAWAI`I GUIDELINES FOR CULTURALLY HEALTHY AND RESPONSIVE LEARNING ENVIRONMENTS" TO ENABLE SCHOOLS AND COMMUNITIES TO EXAMINE AND ATTEND TO THE EDUCATIONAL AND CULTURAL WELL-BEING OF THEIR LEARNERS," was offered by Representative Say, by request.

H.R. No. 173, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK TO STUDY THE NEGATIVE EFFECTS OF THE WORK REQUIREMENTS OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM," was jointly offered by Representatives Say and Chang.

H.R. No. 174, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was offered by Representative Say, by request.

H.R. No. 175, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON THE ESTABLISHMENT OF AN INDEPENDENT STATE CIVIL DEFENSE AGENCY," was offered by Representative Say, by request.

H.R. No. 176, entitled: "HOUSE RESOLUTION SUPPORTING CONGRESSIONAL ACTION TO EXEMPT THE STATE OF HAWAII FROM FEDERAL PREEMPTION PROHIBITING STATE INSPECTION OF PLANTS, PLANT PRODUCTS, AND OTHER BIOLOGICAL ORGANISMS," was jointly offered by Representatives Tsuji, Awana, Brower, Caldwell, Chong, Hanohano, Morita, Yamane, Yamashita, Ito and Wakai.

H.R. No. 177, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF PUBLIC SAFETY INCREASE THE SALARIES AND IMPROVE THE BENEFITS PROVIDED TO DEPUTY SHERIFFS," was offered by Representative Evans, by request.

H.R. No. 178, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF DEFENSE TO WORK IN COLLABORATION WITH UNITED SERVICE ORGANIZATIONS HAWAII AND ALL INVOLVED MILITARY SERVICES TO REVIEW THE ADEQUACY OF UNITED SERVICES ORGANIZATION'S FACILITIES LOCATED AT HONOLULU INTERNATIONAL AIRPORT," was offered by Representative Evans.

H.R. No. 179, entitled: "HOUSE RESOLUTION PROMOTING HAWAII AS THE WORLD'S INTERFAITH HARMONY CAPITAL," was offered by Representative Yamane.

H.R. No. 180, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A STATEWIDE INTERFAITH STEERING COMMITTEE," was offered by Representative Yamane.

H.R. No. 181, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was offered by Representative Yamane.

H.R. No. 182, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was offered by Representative Rhoads.

H.R. No. 183, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR AND THE HONOLULU CITY COUNCIL TO ASSESS PROPERTY WITHIN THE CHINATOWN SPECIAL DISTRICT BASED ON THE SPECIAL DISTRICT HEIGHT RESTRICTIONS," was offered by Representative Rhoads.

H.R. No. 184, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE OWNERSHIP OF THE RIGHTS-OF-WAY IN CERTAIN LANES IN URBAN OAHU," was offered by Representative Rhoads.

H.R. No. 185, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF EDUCATION TO CONVENE A WORKING GROUP TO CONDUCT A FEASIBILITY STUDY OF DEVELOPING A DEGREE GRANTING PROGRAM AND CENTER FOR PEACE EDUCATION," was jointly offered by Representatives Berg, Awana, Bertram, Chang, Ching, Ito, Karamatsu, Mizuno, Shimabukuro, Takumi, Tsuji, Evans, Takamine and Wakai.

H.R. No. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HO'OLAULIMA IA KAWAI NUI TO COORDINATE EFFORTS TO PROTECT, PRESERVE, AND MAINTAIN THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF KAWAI NUI MARSH," was jointly offered by Representatives Chong, Ito, Karamatsu and Waters.

H.R. No. 187, entitled: "HOUSE RESOLUTION URGING THE TRANSFER OF PU'U O KAPOLEI FROM THE CITY AND COUNTY OF HONOLULU TO THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Awana, Brower, McKelvey, Berg, Karamatsu and Shimabukuro.

H.R. No. 188, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A RENEWABLE ENERGY PILOT PROJECT AT NANAKULI HIGH SCHOOL USING SOLAR AND WIND ENERGY," was jointly offered by Representatives Awana, Bertram, McKelvey, Shimabukuro, Berg and Brower.

H.R. No. 189, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE GUIDANCE TO THE STUDENT COUNCILS OF EACH PUBLIC INTERMEDIATE AND HIGH SCHOOL, TO CONDUCT A SURVEY OF THEIR RESPECTIVE STUDENT BODIES REGARDING SCHOOL LUNCH MENU OPTIONS AS AN ALTERNATIVE TO TRADITIONAL, PLANNED MEALS," was jointly offered by Representatives Awana, Bertram, Hanohano, McKelvey, Mizuno, Belatti, Berg, Brower, Magaoay, Manahan, Shimabukuro and Tokioka.

H.R. No. 190, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was jointly offered by Representatives Awana, Bertram, McKelvey, Shimabukuro, Berg and Souki.

H.R. No. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was jointly offered by Representatives Awana, Bertram, Brower, McKelvey, Berg, Shimabukuro and Souki.

H.R. No. 192, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was jointly offered by Representatives Green and Mizuno.

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 jointly offered by Representatives Green, Chang, Mizuno and Takamine.

H.R. No. 194, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO ESTABLISH GOALS TO REDUCE THE SOLID WASTE STREAM IN EACH COUNTY BY SEVENTY-FIVE PER CENT BY JANUARY 1, 2012," was offered by Representative Shimabukuro.

H.R. No. 195, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO PLAN FOR THE SALE OF THE OAHU COMMUNITY CORRECTIONAL CENTER SITE AND USE OF THE PROCEEDS TO CONSTRUCT REPLACEMENT FACILITIES ELSEWHERE ON OAHU," was jointly offered by Representatives Manahan, Evans, Ito, Lee, Mizuno, M. Oshiro, Say, Sonson, Souki, Tokioka, Yamane and Yamashita.

H.R. No. 196, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE," was jointly offered by Representatives Bertram, Awana, Ching, Rhoads, Shimabukuro, Berg, Evans, Souki, Tsuji and Ward.

H.R. No. 197, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH NUTRITION STANDARDS FOR FOOD AND BEVERAGE SOLD IN PUBLIC SCHOOLS AND TO PROVIDE NUTRITION TRAINING AND EDUCATION TO FOOD SERVICE MANAGERS AND STUDENTS," was jointly offered by Representatives Bertram, Awana, Berg, Ching, Evans, McKelvey, Rhoads, Shimabukuro, Brower, Tsuji and Ward.

H.R. No. 198, entitled: "HOUSE RESOLUTION SUPPORTING THE USE OF TAX INCENTIVES TO ENCOURAGE THE USE OF ALTERNATE ENERGY SOURCES," was offered by Representative Bertram.

H.R. No. 199, entitled: "HOUSE RESOLUTION DECLARING THAT THE LAWFULLY ENACTED STATE SOCIAL POLICIES OF THE TWELVE STATES THAT HAVE ENACTED STATE LAWS TO AUTHORIZE THE MEDICAL USE OF MARIJUANA, AND THE ACTIONS OF THOSE LAWFULLY CONFORMING TO THOSE STATE LAWS BY THE USE OF MEDICAL MARIJUANA SHALL NOT BE ENJOINED," was offered by Representative Bertram.

H.R. No. 200, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was jointly offered by Representatives Manahan, Herkes, Ito, Karamatsu, Lee, Say, Tokioka, Tsuji, Yamane and Yamashita.

H.R. No. 201, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER," was offered by Representative Mizuno, by request.

H.R. No. 202, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACT TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES," was jointly offered by Representatives Magaoay, Awana, Brower, Green, Manahan, Mizuno, and M. Oshiro.

H.R. No. 203, entitled: "HOUSE RESOLUTION A RESOLUTION TO COMMEMORATE MARCH 13, 2008 AS WORLD KIDNEY DAY AND THE MONTH OF MARCH AS KIDNEY AWARENESS MONTH IN THE STATE OF HAWAI," was jointly offered by Representatives Mizuno, Awana, Green and Manahan.

H.R. No. 204, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INCREASE SPENDING ON MARKETING," was offered by Representative Marumoto.

[Note: The following House Resolutions were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

H.R. No. 205, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO OPPOSE THE PATENT REFORM ACT," was jointly offered by Representatives McKelvey, Awana, Herkes, M. Oshiro, Bertram and Evans.

H.R. No. 206, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF PUBLIC ACCOUNTANCY TO CONVENE A MEETING TO DISCUSS ISSUES FACING THE ACCOUNTING PROFESSION," was offered by Representative Herkes.

H.R. No. 207, entitled: "HOUSE RESOLUTION STRONGLY URGING ENTITIES IN THE CRUISE INDUSTRY THAT OPERATE CRUISES VISITING THE STATE TO FULLY PARTICIPATE IN GOOD FAITH WITH THE ONGOING STUDY ENTITLED THE *HAWAII CRUISE INDUSTRY STUDY*, INTENDED TO ASSESS THE CURRENT AND POTENTIAL IMPACTS OF THE CRUISE INDUSTRY ON EACH ISLAND AND THE STATE UNTIL THE YEAR 2018," was offered by Representative Yamane.

H.R. No. 208, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEVELOPMENT OF GOOD FAITH VALUATION STANDARDS AND NEGOTIATING PRACTICES FOR LONG-TERM INDUSTRIAL AND COMMERCIAL REAL ESTATE LEASES IN HAWAII," was jointly offered by Representatives Say and Yamashita.

H.R. No. 209, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was jointly offered by Representatives Say and Evans.

H.R. No. 210, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EVALUATE THE POSSIBILITY OF USING A CONSERVATION LAND TRUST IN THE ALA WAI WATERSHED AREA," was jointly offered by Representatives Say, Brower, Caldwell and Nishimoto.

H.R. No. 211, entitled: "HOUSE RESOLUTION REQUESTING THAT MALUHIA, IN CONCERT WITH LEAHI HOSPITAL, INITIATE MASTER PLANNING ACTIVITIES TO UPGRADE ITS FACILITIES AND COLLABORATE WITH OTHER LONG-TERM CARE PROVIDERS TO ADDRESS HAWAII'S INCREASING ELDERLY AND CHRONICALLY ILL POPULATIONS," was jointly offered by Representatives Say, Marumoto and Nishimoto.

H.R. No. 212, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ENCOURAGE EACH ADULT RESIDENTIAL CARE HOME LICENSE APPLICANT TO OFFER TO MAKE A PRESENTATION TO THE RELEVANT NEIGHBORHOOD BOARD IN WHOSE DISTRICT THE HOME IS LOCATED," was jointly offered by Representatives Say, Berg, Caldwell, Marumoto and Nishimoto.

H.R. No. 213, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP AN ACTION PLAN FOR ADDRESSING INCIDENTS OF PESTICIDE EXPOSURE AT PUBLIC SCHOOLS," was jointly offered by Representatives Sagum and Morita.

H.R. No. 214, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO MAINTAIN A TEACHER'S STEP STANDING WHEN A TEACHER TRANSFERS BACK TO THE DOE FROM A CONVERSION CHARTER SCHOOL," was offered by Representative Shimabukuro.

H.R. No. 215, entitled: "HOUSE RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was offered by Representative Herkes.

H.R. No. 216, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU, THE COUNTY OF HAWAII, AND KAUAI COUNTY TO PROVIDE AN INCREASE IN INFORMATION THAT WILL INFORM AND ENABLE HOMEOWNERS TO GAIN KNOWLEDGE OF THE FLOOD ZONE THAT HOMES ARE LOCATED IN AND THE RISKS OF FLOODING," was offered by Representative Chong, by request.

H.R. No. 217, entitled: "HOUSE RESOLUTION URGING HAWAII UTILITY COMPANIES THAT PROVIDE UTILITY SERVICES TO ESTABLISH AND IMPLEMENT A PROCEDURE FOR THE TIMELY REPLACEMENT OF DAMAGED OR UNSIGHTLY UTILITY POLES," was offered by Representative Chong, by request.

H.R. No. 218, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE A WEST MAUI SCHOOL IN ITS PILOT PROGRAM TO REDUCE HEAT DISCOMFORT IN CLASSROOMS," was offered by Representative McKelvey.

H.R. No. 219, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO COORDINATE THE CITY AND STATE AGENCIES IN ADDRESSING THE OVERGROWTH OF VEGETATION ON KAHALA BEACH," was offered by Representative Marumoto.

H.R. No. 220, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO RECOGNIZE THE SIMULTANEOUS USAGE OF SIGN LANGUAGE AND SPEECH IN PROVIDING FOR THE EDUCATION OF HEARING EXCEPTIONAL CHILDREN," was offered by Representative Takumi.

H.R. No. 221, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, IN COLLABORATION WITH THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO AND HAWAII COMMUNITY COLLEGE TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was jointly offered by Representatives Tsuji, Brower, Chang, Chong, Evans, Yamane, Yamashita and Takamine.

H.R. No. 222, entitled: "HOUSE RESOLUTION REQUESTING THAT THE WAIKIKI MARINE LIFE CONSERVATION DISTRICT AND ITS IMMEDIATELY SURROUNDING AREAS INCLUDE PROJECTS TO MANAGE OR ENHANCE FISHERIES FOR LONG-TERM SUSTAINABILITY OF THE RESOURCES, PROTECT AND RESTORE THE AQUATIC ENVIRONMENT, PROTECTING NATIVE AND RESIDENT AQUATIC SPECIES AND THEIR HABITAT," was offered by Representative Nishimoto, by request.

H.R. No. 223, entitled: "HOUSE RESOLUTION REQUESTING THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII, WITH CONSULTATION FROM THE INTERDISCIPLINARY TEAM ESTABLISHED BY HOUSE BILL NO. 2510, H.D. 2, TO REVIEW THE FEASIBILITY AND IMPACT OF REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT TO INCLUDE EFFECTS OF A PROPOSED ACTION AS A CONTRIBUTOR TO CLIMATE CHANGE," was jointly offered by Representatives Morita, Berg, Caldwell, Ching, Luke, Mizuno, Rhoads, Shimabukuro, Thielen, Tsuji, Waters, Awana, Belatti, Bertram, Carroll, Chang, Evans, Har, Manahan, McKelvey, Pine, Sagum and Saiki.

H.R. No. 224, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON ESTABLISHING A HAWAII STATE GEOLOGICAL SURVEY," was jointly offered by Representatives Morita, Thielen, Carroll, Ito, Karamatsu, Sagum and Saiki.

H.R. No. 225, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was jointly offered by Representatives Morita, Tokioka and Sagum.

H.R. No. 226, entitled: "HOUSE RESOLUTION REQUESTING AN ANNUAL REPORT WITH REGARD TO THE APPLIED RESEARCH LABORATORY FOR EACH OF THE NEXT THREE YEARS FROM THE UNIVERSITY OF HAWAII TO THE LEGISLATURE," was offered by Representative Morita.

H.R. No. 227, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE AN INFORMATIONAL BRIEFING AND DEMONSTRATION TO THE APPROPRIATE SENATE AND HOUSE COMMITTEES REGARDING THE OPERATION AND USE OF NEW ELECTRONIC VOTING SYSTEMS AND TO PROVIDE INFORMATION PRIOR TO CONTRACTING TO PURCHASE ANY NEW VOTING SOFTWARE OR EQUIPMENT RELATED TO ANY NEW VOTING SYSTEM," was offered by Representative Morita.

H.R. No. 228, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO EXERCISE EMERGENCY POWERS TO EXPEDITE THE INSTALLATION OF AIR CONDITIONING AT JAMES CAMPBELL HIGH SCHOOL," was offered by Representative Cabanilla.

H.R. No. 229, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was jointly offered by Representatives B. Oshiro, Bertram, Carroll, Morita, Thielen and Chang.

H.R. No. 230, entitled: "HOUSE RESOLUTION URGING THE PREVENTION OF THE SALE OF OIL AND GAS LEASES AND OF DRILLING IN THE CHUKCHI AND BEAUFORT SEA REGIONS OF ALASKA," was jointly offered by Representatives B. Oshiro, Carroll, Morita and Thielen.

H.R. No. 231, entitled: "HOUSE RESOLUTION URGING THE COUNTY OF MAUI TO ADOPT AN ORDINANCE LIMITING THE NUMBER OF TIME SHARE UNITS IN MAUI COUNTY," was jointly offered by Representatives McKelvey, Bertram and Carroll.

H.R. No. 232, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE H.R. 4137, THE COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007," was jointly offered by Representatives Takai, Takumi, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Takamine and Wakai.

H.R. No. 233, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ESTABLISH PARITY BETWEEN PRIVATE NONPROFIT MENTAL HEALTH CENTERS AND MENTAL HEALTH CENTERS OPERATING WITHIN THE DEPARTMENT OF HEALTH'S STATEWIDE SYSTEM RELATING TO QUALIFICATIONS FOR COST REIMBURSEMENT FOR SERVICES PROVIDED, FEE FOR SERVICE, AND SALARIES AND BENEFITS," was offered by Representative Shimabukuro.

H.R. No. 234, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO "THE MYRON THOMPSON SCHOOL OF SOCIAL WORK"," was jointly offered by Representatives Lee, Chang, Hanohano, Manahan, McKelvey, Mizuno, B. Oshiro, Brower, Carroll, Har, Karamatsu and Souki.

H.R. No. 235, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was jointly offered by Representatives Lee, Brower, Chang, Hanohano, Har, Karamatsu, Manahan, Mizuno, B. Oshiro, Tokioka, Carroll, Saiki and Souki.

H.R. No. 236, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE RAMIFICATIONS OF ADOPTING THE NEW INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN," was offered by Representative Pine, by request.

H.R. No. 237, entitled: "HOUSE RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY THE EFFECTS OF AMENDING THE LAW CONCERNING KULEANA LANDS," was jointly offered by Representatives Tokioka, Hanohano, Morita and Say.

H.R. No. 238, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HEALTH TO CONDUCT A FEASIBILITY STUDY ON IMPROVING HAWAII'S SAFE HAVEN LAW BY REQUIRING THE IDENTIFICATION OF THE NEWBORN CHILD AND PERSON PRESENTING THE NEWBORN CHILD TO SAFE HAVEN PERSONNEL BEFORE ACCEPTING THE NEWBORN CHILD AND THE EFFICACY OF SAFE HAVEN LAWS IN OTHER STATES," was offered by Representative Ching.

H.R. No. 239, entitled: "HOUSE RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT OUTREACH AND EDUCATION REGARDING ANIMAL CRUELTY," was offered by Representative Ching.

H.R. No. 240, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO DEFER DECISIONS ON ANY APPLICATIONS FOR ZONING CHANGES UNTIL THE COMPLETION OF THE SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PROCESS AND THE SUBSEQUENT ADOPTION OF THE DRAFT MAUKA AREA PLAN AND THE MAUKA AREA RULES," was jointly offered by Representatives Brower, Luke, Rhoads, Belatti and Saiki.

H.R. No. 241, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RENEWABLE ENERGY PILOT PROJECTS AT LAHAINALUNA HIGH SCHOOL, LAHAINA INTERMEDIATE SCHOOL, AND PRINCESS NAHIENAENA ELEMENTARY SCHOOL ON THE ISLAND OF MAUI USING SOLAR AND WIND ENERGY," was offered by Representative McKelvey.

H.R. No. 242, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was jointly offered by Representatives Ching and Marumoto.

H.R. No. 243, entitled: "HOUSE RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION OFFICER TO CONVENE A TASK FORCE TO COMPILE AND MAINTAIN A HAWAII HERITAGE LIST COMPRISED OF UNIQUE HISTORIC PROPERTIES THAT REPRESENT OR CHARACTERIZE HAWAIIAN CULTURE AND HERITAGE," was jointly offered by Representatives Ching and Marumoto.

H.R. No. 244, entitled: "HOUSE RESOLUTION URGING THE COMPTROLLER TO TRANSFORM THE POOLS THAT SURROUND THE STATE CAPITOL WITH TRADITIONAL LO'I STOCKED WITH FISH," was offered by Representative Shimabukuro.

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 jointly offered by Representatives Say and Chang.

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 jointly offered by Representatives Say and Chang.

H.R. No. 247, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY'S DEEP SEAWATER PUMPING SYSTEM," was jointly offered by Representatives Wakai, Berg, Brower, Lee, Mizuno, Takai, Takumi, Luke, Marumoto, Morita, M. Oshiro and Ward.

H.R. No. 248, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY TO DEVELOP METHODS TO IDENTIFY NATURAL AND GENETICALLY-MODIFIED ORGANISMS," was offered by Representative Bertram.

H.R. No. 249, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A TASK FORCE ON AGING TO EXAMINE THE NEED FOR AND FEASIBILITY OF, AND TO PREPARE PRELIMINARY PLANS FOR, THE CONSOLIDATION OF PUBLICLY FUNDED PROGRAMS AND SERVICES THAT WOULD APPROPRIATELY FALL WITHIN THE JURISDICTION OF A NEW DEPARTMENT OF AGING," was jointly offered by Representatives Bertram, Green, Mizuno and Shimabukuro.

H.R. No. 250, entitled: "HOUSE RESOLUTION ENCOURAGING THE COUNTIES TO IMPLEMENT THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S DESIGN GUIDANCE DOCUMENT ON INTEGRATING BICYCLING AND WALKING WHEN BUILDING THEIR TRANSPORTATION INFRASTRUCTURE IN ORDER FOR ALL HAWAII RESIDENTS WHO CHOOSE TO WALK OR BICYCLE TO DO SO SAFELY AND EFFICIENTLY," was jointly offered by Representatives Bertram, Pine, Har and Souki.

H.R. No. 251, entitled: "HOUSE RESOLUTION URGING THE FEDERAL AGENCIES INVOLVED IN CLASSIFYING CONTROLLED SUBSTANCES TO CONSIDER RECLASSIFYING MARIJUANA AS A SCHEDULE III SUBSTANCE," was offered by Representative Bertram.

H.R. No. 252, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was jointly offered by Representatives Bertram, Pine and Souki.

H.R. No. 253, entitled: "HOUSE RESOLUTION RENAMING THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS THE GEORGE R. ARIYOSHI NATURAL ENERGY LAB," was jointly offered by Representatives Takamine, Caldwell, Chang, Tsuji, Chong, Hanohano and Herkes.

H.R. No. 254, entitled: "HOUSE RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO RULE THAT ALL SCHEDULE Q CONTRACTS SHOULD RECEIVE THE FULL AVOIDED COST PRICING AS WRITTEN IN THE EXISTING SCHEDULE Q ELECTRICITY RATE SCHEDULE FOR EACH UTILITY," was jointly offered by Representatives Takamine, Caldwell, Evans, Hanohano, Tsuji, Chang and Chong.

H.R. No. 255, entitled: "HOUSE RESOLUTION REQUESTING THE WILLIAM S. RICHARDSON SCHOOL OF LAW TO CONDUCT A STUDY ON LEGISLATIVE SOLUTIONS TO ADDRESS THE IMPACT OF ADULT RESIDENTIAL CARE HOME FACILITIES IN RESIDENTIAL NEIGHBORHOODS," was jointly offered by Representatives Marumoto, Caldwell, Ching, Say, Berg, Mizuno, and M. Oshiro.

H.R. No. 256, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NAME THE SCHOOL OF SOCIAL WORK AFTER MR. MYRON "PINKY" THOMPSON," was jointly offered by Representatives M. Oshiro, Say and Yamane.

H.R. No. 257, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A PRE-NEED FUNERAL INDUSTRY ADVISORY COMMITTEE TO PROVIDE INPUT ON CONCERNS AND SOLUTIONS REGARDING THE PRE-NEED FUNERAL INDUSTRY," was offered by Representative Mizuno.

H.R. No. 258, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO USE THE AUTHORITY GRANTED TO THEM UNDER SECTION 342D-70, HAWAII REVISED STATUTES, AND ADOPT AND IMPLEMENT STANDARDS FOR THE REUSE OF RESIDENTIAL GRAY WATER FOR SUBSURFACE LANDSCAPE IRRIGATION," was offered by Representative Mizuno.

H.R. No. 259, entitled: "HOUSE RESOLUTION REQUESTING NO NEW LANDFILLS ON THE LEEWARD COAST," was offered by Representative Mizuno.

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 jointly offered by Representatives Chang, Hanohano, Herkes, Ito, Karamatsu, Mizuno, B. Oshiro, Takai, Tsuji, Wakai, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Lee, Nishimoto, Shimabukuro, Takamine and Takumi.

H.R. No. 261, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUPPORT THE CREATION OF A HISTORIC PRESERVATION TRADES PROGRAM WITHIN THE COMMUNITY COLLEGE SYSTEM," was jointly offered by Representatives Evans and Ching.

H.R. No. 262, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTY POLICE CHIEFS AND THE DIRECTOR OF PUBLIC SAFETY TO ADOPT A POLICY MAKING MARIJUANA POSSESSION OFFENSES BY MEDICAL MARIJUANA PATIENTS THE LOWEST PRIORITY FOR INVESTIGATION AND ARREST," was offered by Representative Bertram.

H.R. No. 263, entitled: "HOUSE RESOLUTION STRONGLY URGING THE CONVENING OF A TASK FORCE TO DEVISE A STRATEGIC AND IMPLEMENTATION PLAN FOR THE RESTORATION OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was jointly offered by Representatives Ching, Brower, Finnegan, Hanohano, Marumoto, Meyer, Chang, Evans, Karamatsu, Lee, Shimabukuro and Tsuji.

H.R. No. 264, entitled: "HOUSE RESOLUTION STRONGLY URGING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO IDENTIFY AND ACQUIRE FUNDING FOR THE RESTORATION OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was jointly offered by Representatives Ching, Brower, Chang, Finnegan, Hanohano, Meyer, Evans, Karamatsu, Lee, Marumoto, Shimabukuro and Tsuji.

H.R. No. 265, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT ON THE FEASIBILITY OF A TWO-TIERED SYSTEM FOR ENFORCING BOATING LAW VIOLATIONS THAT DO NOT POSE AN IMMINENT AND SERIOUS THREAT TO PUBLIC HEALTH OR SAFETY," was jointly offered by Representatives Meyer, Brower, Marumoto, Bertram, Cabanilla, Caldwell, Evans, Ito, Karamatsu, Mizuno, Sonson and Ward.

H.R. No. 266, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU DEVELOP A STATE-CITY PARTNERSHIP FOR THE SHARED USAGE OF VACANT LAND ACROSS FROM THE SMALL BOAT HARBOR AT HE`EIA KEA," was jointly offered by Representatives Meyer, Bertram, Brower, Cabanilla, Caldwell, Evans, Karamatsu, Marumoto, Mizuno, Sonson and Ward.

H.R. No. 267, entitled: "HOUSE RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PROVIDE RECOMMENDATIONS TO THE LEGISLATURE IN UPDATING THE HAWAII REVISED STATUTES REGARDING EARLY INTERVENTION AND SPECIAL EDUCATION IN RESPONSE TO THE ENACTMENT OF THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 AND THE CURRENT NEEDS OF OUR CHILDREN WITH DISABILITIES," was jointly offered by Representatives Meyer, Ching and Finnegan.

H.R. No. 268, entitled: "HOUSE RESOLUTION REQUESTING AN APPROPRIATION TO THE HAWAII STATE PUBLIC SCHOOL SYSTEM DESIGNATED SPECIFICALLY FOR THE PURCHASE OF A NEW EFFECTIVE FILTER TO BLOCK INAPPROPRIATE WEB CONTENT," was jointly offered by Representatives Ward, Brower, Ching, Evans, Awana, Berg, Finnegan, Hanohano, McKelvey and Pine.

H.R. No. 269, entitled: "HOUSE RESOLUTION DEVELOPING HAWAII'S NATIONAL DISASTER PREPAREDNESS TRAINING AND CONSULTATION PROGRAM FOR PRIVATE, GOVERNMENTAL, AND NON-PROFIT ENTITIES WITH AN EMPHASIS ON AT-RISK COMMUNITIES," was offered by Representative Evans.

H.R. No. 270, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was jointly offered by Representatives Ching and Tsuji.

H.R. No. 271, entitled: "HOUSE RESOLUTION REQUESTING AN APPROPRIATION TO THE HAWAII STATE PUBLIC SCHOOL SYSTEM DESIGNATED SPECIFICALLY FOR THE PURCHASE OF MORE COMPUTERS WITH INTERNET ACCESS," was jointly offered by Representatives Ward, Awana, Belatti, Evans, Hanohano, McKelvey and Pine.

H.R. No. 272, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII CREATES A TECHNOLOGY AND INNOVATION EXTENSION SERVICE," was jointly offered by Representatives Ward, Evans, Awana, Bertram, Ching, Chong, Hanohano, Marumoto, McKelvey, Meyer, Pine and Shimabukuro.

H.R. No. 273, entitled: "HOUSE RESOLUTION RECOMMENDING STUDENT ATHLETICS BE CONSIDERED AS A SEMESTER CREDIT PER YEAR OF PHYSICAL EDUCATION TOWARDS A HAWAII HIGH SCHOOL DIPLOMA IN PUBLIC SCHOOLS," was jointly offered by Representatives Ward, Brower, Ching, Awana, Belatti, Evans, Finnegan, Hanohano, McKelvey and Pine.

H.R. No. 274, entitled: "HOUSE RESOLUTION REQUESTING A REQUIRED PUBLIC SPEAKING AND ARGUMENTATION SEMESTER TO BE COMPLETED BY EACH HAWAII HIGH SCHOOL STUDENT IN ORDER TO GRADUATE," was jointly offered by Representatives Ward, Awana, Brower, Ching, Hanohano, McKelvey and Pine.

H.R. No. 275, entitled: "HOUSE RESOLUTION REQUESTING THAT THE STATE OF HAWAII WILL ADOPT THE 10 PRINCIPLES FOR HEALTH CARE REFORM AS PROPOSED BY THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS," was jointly offered by Representatives Ward, Awana, Berg, Brower, Ching, Evans, Finnegan, Hanohano, McKelvey and Pine.

H.R. No. 276, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO RECOGNIZE THE SIMULTANEOUS USAGE OF SIGN LANGUAGE AND SPEECH IN PROVIDING FOR THE EDUCATION OF HEARING EXCEPTIONAL CHILDREN," was jointly offered by Representatives Ward, Awana, Berg, Brower, Ching, Evans, Finnegan, Morita, Marumoto, Karamatsu, Lee, Mizuno, Saiki and Shimabukuro.

H.R. No. 277, entitled: "HOUSE RESOLUTION REQUESTING THAT THE OFFICE OF PLANNING PREPARE AND FILE A PETITION WITH THE LAND USE COMMISSION TO SYNCHRONIZE STATE LAND USE CLASSIFICATIONS WITH CITY AND COUNTY LAND USE CLASSIFICATIONS. LANDS THAT ARE CLASSIFIED BY THE CITY AND COUNTY AS PRESERVATION, YET BY THE STATE AS URBAN, SHOULD BE UPDATED TO A STATE CONSERVATION DISTRICT CLASSIFICATION. DIRECTS THE CITY AND COUNTY OF HONOLULU TO NOT ISSUE ANY PERMITS ALLOWING THE DEVELOPMENT ON SUCH LAND, PENDING THE FINAL DISPOSITION OF THE PETITION," was jointly offered by Representatives Ward, Awana, Bertram, Brower, Evans, Karamatsu, Marumoto, Mizuno, Morita, Saiki and Shimabukuro.

H.R. No. 278, entitled: "HOUSE RESOLUTION URGING DEVELOPERS OF A CEMETERY IN HAWAII KAI TO AVOID MERCURY EMISSIONS FROM ANY PROPOSED CREMATORIUM," was jointly offered by Representatives Ward, Brower, Awana, Belatti, Evans, Finnegan, Karamatsu, Lee, McKelvey, Mizuno, Morita and Shimabukuro.

H.R. No. 279, entitled: "HOUSE RESOLUTION URGING THE EXECUTIVE BRANCH DEPARTMENTS TO ENCOURAGE, PROMOTE AND INCREASE TELECOMMUTING AND FLEX-TIME OPTIONS FOR STATE EMPLOYEES," was jointly offered by Representatives Ward, Evans, Finnegan, McKelvey, Morita, Shimabukuro, Awana, Belatti, Berg, Brower, Hanohano, Karamatsu, Lee, Mizuno, Pine and Saiki.

H.R. No. 280, entitled: "HOUSE RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was jointly offered by Representatives Ward, Bertram, Ching, Evans, Finnegan, Pine, Awana, Belatti, Berg, Brower, Hanohano, Karamatsu, Marumoto, McKelvey, Meyer, Mizuno, Morita, Saiki and Shimabukuro.

H.R. No. 281, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECOMMEND AND THE BOARD OF EDUCATION TO APPROVE A PLAN TO SHIFT ADDITIONAL DISCRETIONARY AND NON-DISCRETIONARY FUNDS INTO THE WEIGHTED STUDENT FORMULA FUND," was offered by Representative Finnegan.

H.R. No. 282, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION OF THE STATE OF HAWAII TO DEVELOP AN IMPROVED METHOD FOR CALCULATING HAWAII'S DROPOUT RATES USING A FOUR YEAR DROP OUT PERIOD," was offered by Representative Finnegan.

H.R. No. 283, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO IMPROVE HAWAII'S LONGITUDINAL DATA SYSTEM, AND SPECIFICALLY REQUESTS THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO DEVELOP ACCOUNTABILITY MEASURES FOR SCHOOLS THAT DO A POOR JOB IN COLLECTING AND SUBMITTING COMPLETE AND ACCURATE INFORMATION," was offered by Representative Finnegan.

H.R. No. 284, entitled: "HOUSE RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON LAND EXCHANGES," was offered by Representative B. Oshiro.

H.R. No. 285, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO EXAMINE THE POLICIES, PHILOSOPHIES, AND APPROACHES OF THE INDEPENDENT SCHOOLS WITH REGARDS TO TEACHERS, STAFF, AND ADMINISTRATION AND TO ADOPT, WHERE APPROPRIATE AND APPLICABLE, SUCCESSFUL STRATEGIES TO PROVIDE THE BEST POSSIBLE EDUCATIONAL EXPERIENCE FOR THE CHILDREN OF HAWAII," was offered by Representative Ching.

H.R. No. 286, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO TELEVISE THE GENERAL MEETINGS OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was jointly offered by Representatives Ito, Awana, Hanohano, Karamatsu, Morita, Sagum, Tokioka and Waters.

H.R. No. 287, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONDUCT A STUDY ON PARTS I, II, IV, AND V OF TITLE 13, SUBTITLE 4, OF THE HAWAII ADMINISTRATIVE RULES," was jointly offered by Representatives Ito and Magaoay.

H.R. No. 288, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED IMMEDIATELY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," was jointly offered by Representatives Ito, Bertram, Carroll, McKelvey, Yamane and Yamashita.

H.R. No. 289, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was offered by Representative Finnegan.

H.R. No. 290, entitled: "HOUSE RESOLUTION REQUESTING THE RETAIL MERCHANTS OF HAWAII AND HAWAII FOOD INDUSTRY ASSOCIATION TO SUBMIT A REPORT TO THE LEGISLATURE ON THEIR PUBLIC-EDUCATION CAMPAIGN ABOUT "REDUCING, REUSING, AND RECYCLING" PLASTIC BAGS," was jointly offered by Representatives Morita, Ito, Karamatsu and Saiki.

H.R. No. 291, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO ACKNOWLEDGE THE RELATIONSHIP BETWEEN URBAN DESIGN AND THE MENTAL AND PHYSICAL WELL-BRING OF PEOPLE AND FOR THE COUNTIES TO INCORPORATE THIS KNOWLEDGE INTO PERMIT AND DESIGN DECISIONS," was offered by Representative Ching.

H.R. No. 292, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF PLANNING TO PETITION THE LAND USE COMMISSION TO RECLASSIFY CERTAIN PARCELS ALONG THE NORTH KOHALA COASTLINE ON THE ISLAND OF HAWAII TO THE CONSERVATION DISTRICT," was jointly offered by Representatives Evans, Ito and Yamashita.

H.R. No. 293, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was jointly offered by Representatives Yamashita, Tsuji, Yamane, Bertram, Carroll and Souki.

H.R. No. 294, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was jointly offered by Representatives Yamashita, Brower, Chang, Hanohano, Manahan, Tsuji, Yamane and Souki.

H.R. No. 295, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE OWNERSHIP OF BLUE ANGEL FALLS," was jointly offered by Representatives Carroll, Evans, Hanohano, Morita, Ito and McKelvey.

H.R. No. 296, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO ESTABLISH A SEPARATE CALENDAR FOR CASES THAT INVOLVE ENVIRONMENTAL MATTERS," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 297, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 298, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.R. No. 299, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE CONTINUATION OF THE FEDERAL RENEWABLE ENERGY TAX CREDITS," was jointly offered by Representatives Carroll, Ito, McKelvey and Morita.

H.R. No. 300, entitled: "HOUSE RESOLUTION URGING MAUI COUNTY NOT TO ISSUE ANY PERMIT OR SPECIAL PERMIT FOR ANY RESIDENTIAL OR COMMERCIAL DEVELOPMENT OF ANY WETLAND OR TIDAL AREA WITHIN ONE HUNDRED FEET OF THE SHORELINE UNLESS THE COUNTY FIRST SOLICITS PUBLIC INPUT AT A PUBLIC INFORMATIONAL MEETING," was jointly offered by Representatives Carroll, Hanohano, Ito, McKelvey and Morita.

H.R. No. 301, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COMMISSION ON WATER RESOURCE MANAGEMENT TO REPORT WHY EACH HAS NOT TAKEN PROACTIVE MEASURES TO ENSURE THE WATER RIGHTS OF EAST MAUI RESIDENTS AND TO ESTABLISH A SIMPLE, CLEAR, AND EFFICIENT PROCESS FOR INVESTIGATING VIOLATIONS OF WATER USE," was jointly offered by Representatives Carroll, Hanohano, Ito, McKelvey and Morita.

H.R. No. 302, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF ULALENA LOOP ROAD, AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REPORT ON THE ESTIMATED COST OF REPAVING ULALENA LOOP ROAD," was jointly offered by Representatives Carroll, Ito, McKelvey and Morita.

H.R. No. 303, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF NAKIHU BRIDGE AND LOWER NAHIKU ROAD," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 304, entitled: "HOUSE RESOLUTION REQUESTING THE MAYOR OF MAUI AND THE MAUI COUNTY COUNCIL TO ESTABLISH A REAL PROPERTY TAX STRUCTURE BASED ON THE CALIFORNIA PROPOSITION 13 PROPERTY TAX SYSTEM," was jointly offered by Representatives Carroll, Morita, Ito and McKelvey.

H.R. No. 305, entitled: "HOUSE RESOLUTION URGING THE MAYOR AND THE COUNTY COUNCIL OF MAUI COUNTY TO CREATE A SEPARATE COUNTY CODE SPECIFICALLY FOR THE ISLAND OF MOLOKAI," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.R. No. 306, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO HAVE ALL SIGNS AT THE STATE CAPITOL PRINTED IN ENGLISH AND HAWAIIAN," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 307, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE ISSUE OF OWNERSHIP OF ULAINO ROAD IN MAUI," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 308, entitled: "HOUSE RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

H.R. No. 309, entitled: "HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE RESIDENTS OF KALAUPAPA AND THEIR FAMILIES FOR THE SACRIFICES THEY MADE LIVING IN ISOLATION ON THE ISLAND OF MOLOKAI AND FOR BEING SEPARATED FROM SOCIETY," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 202, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO ADOPT THE "NA HONUA MAULI OLA: HAWAI`I GUIDELINES FOR CULTURALLY HEALTHY AND RESPONSIVE LEARNING ENVIRONMENTS" TO ENABLE SCHOOLS AND COMMUNITIES TO EXAMINE AND ATTEND TO THE EDUCATIONAL AND CULTURAL WELL-BEING OF THEIR LEARNERS," was offered by Representative Say, by request.

H.C.R. No. 203, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF DISPARATE TREATMENT IN HAWAII'S CRIMINAL JUSTICE SYSTEM," was offered by Representative Say, by request.

H.C.R. No. 204, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A COMPARISON OF REVENUES FROM AND EXPENDITURES FOR EACH STATE SMALL BOAT HARBOR," was offered by Representative Say.

H.C.R. No. 205, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK TO STUDY THE NEGATIVE EFFECTS OF THE WORK REQUIREMENTS OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM," was jointly offered by Representatives Say and Chang.

H.C.R. No. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was offered by Representative Say, by request.

H.C.R. No. 207, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE ESTABLISHMENT OF AN INDEPENDENT STATE CIVIL DEFENSE AGENCY," was offered by Representative Say, by request.

H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONGRESSIONAL ACTION TO EXEMPT THE STATE OF HAWAII FROM FEDERAL PREEMPTION PROHIBITING STATE INSPECTION OF PLANTS, PLANT PRODUCTS, AND OTHER BIOLOGICAL ORGANISMS," was jointly offered by Representatives Tsuji, Awana, Brower, Caldwell, Chong, Hanohano, Morita, Yamane, Yamashita, Ito and Wakai.

H.C.R. No. 209, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF PUBLIC SAFETY INCREASE THE SALARIES AND IMPROVE THE BENEFITS PROVIDED TO DEPUTY SHERIFFS," was offered by Representative Evans, by request.

H.C.R. No. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF DEFENSE TO WORK IN COLLABORATION WITH UNITED SERVICE ORGANIZATIONS HAWAII AND ALL INVOLVED MILITARY SERVICES TO REVIEW THE ADEQUACY OF UNITED SERVICES ORGANIZATION'S FACILITIES LOCATED AT HONOLULU INTERNATIONAL AIRPORT," was offered by Representative Evans.

H.C.R. No. 211, entitled: "HOUSE CONCURRENT RESOLUTION PROMOTING HAWAII AS THE WORLD'S INTERFAITH HARMONY CAPITAL," was offered by Representative Yamane.

H.C.R. No. 212, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO ESTABLISH A STATEWIDE INTERFAITH STEERING COMMITTEE," was offered by Representative Yamane.

H.C.R. No. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was offered by Representative Yamane.

H.C.R. No. 214, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT PERFORMANCE AUDITS OF PRIVATE PRISONS ON THE MAINLAND THAT HOUSE HAWAII INMATES," was jointly offered by Representatives M. Oshiro and Evans.

H.C.R. No. 215, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was offered by Representative Rhoads.

H.C.R. No. 216, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND THE HONOLULU CITY COUNCIL TO ASSESS PROPERTY WITHIN THE CHINATOWN SPECIAL DISTRICT BASED ON THE SPECIAL DISTRICT HEIGHT RESTRICTIONS," was offered by Representative Rhoads.

H.C.R. No. 217, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DETERMINE OWNERSHIP OF THE RIGHTS-OF-WAY IN CERTAIN LANES IN URBAN OAHU," was offered by Representative Rhoads.

H.C.R. No. 218, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA COLLEGE OF EDUCATION TO CONVENE A WORKING GROUP TO CONDUCT A FEASIBILITY STUDY OF DEVELOPING A DEGREE GRANTING PROGRAM AND CENTER FOR PEACE EDUCATION," was jointly offered by Representatives Berg, Awana, Bertram, Chang, Ching, Ito, Karamatsu, Mizuno, Shimabukuro, Takumi, Tsuji, Evans, Takamine and Wakai.

H.C.R. No. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HO'OLAULIMA IA KAWAI NUI TO COORDINATE EFFORTS TO PROTECT, PRESERVE, AND MAINTAIN THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF KAWAI NUI MARSH," was jointly offered by Representatives Chong, Ito, Karamatsu and Waters.

H.C.R. No. 220, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE TRANSFER OF PU'U O KAPOLEI FROM THE CITY AND COUNTY OF HONOLULU TO THE HISTORIC PRESERVATION DIVISION OF THE DEPARTMENT OF LAND AND NATURAL RESOURCES," was jointly offered by Representatives Awana, Brower, Karamatsu, McKelvey, Berg and Shimabukuro.

H.C.R. No. 221, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT A RENEWABLE ENERGY PILOT PROJECT AT NANAKULI HIGH SCHOOL USING SOLAR AND WIND ENERGY," was jointly offered by Representatives Awana, McKelvey, Shimabukuro, Berg, Bertram and Brower.

H.C.R. No. 222, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE GUIDANCE TO THE STUDENT COUNCILS OF EACH PUBLIC INTERMEDIATE AND HIGH SCHOOL, TO CONDUCT A SURVEY OF THEIR RESPECTIVE STUDENT BODIES REGARDING SCHOOL LUNCH MENU OPTIONS AS AN ALTERNATIVE TO TRADITIONAL, PLANNED MEALS," was jointly offered by Representatives Awana, Bertram, Hanohano, McKelvey, Mizuno, Belatti, Berg, Brower, Magaoay, Manahan, Shimabukuro and Tokioka.

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was jointly offered by Representatives Awana, Bertram, McKelvey, Shimabukuro, Berg and Souki.

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was jointly offered by Representatives Awana, Bertram, Brower, McKelvey, Berg, Shimabukuro and Souki.

H.C.R. No. 225, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was jointly offered by Representatives Green and Mizuno.

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 jointly offered by Representatives Green Chang, Mizuno and Takamine.

H.C.R. No. 227, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ESTABLISH GOALS TO REDUCE THE SOLID WASTE STREAM IN EACH COUNTY BY SEVENTY-FIVE PER CENT BY JANUARY 1, 2012," was offered by Representative Shimabukuro.

H.C.R. No. 228, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO PLAN FOR THE SALE OF THE OAHU COMMUNITY CORRECTIONAL CENTER SITE AND USE OF THE PROCEEDS TO CONSTRUCT REPLACEMENT FACILITIES ELSEWHERE ON OAHU," was jointly offered by Representatives Manahan, Evans, Ito, Lee, Mizuno, M. Oshiro, Say, Sonson, Souki, Tokioka, Yamane and Yamashita.

H.C.R. No. 229, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO EVALUATE THE ETHANOL FACILITY TAX CREDIT," was jointly offered by Representatives Caldwell, Herkes, Lee, Nishimoto, Sonson, Yamane, Nakasone, Souki, Takamine, Takumi and Yamashita.

H.C.R. No. 230, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF SEPTEMBER 1, 2008 – SEPTEMBER 7, 2008 AS HAWAII LABOR HISTORY WEEK," was jointly offered by Representatives Caldwell, Herkes, Lee, Morita, Nishimoto, Sonson, Takumi, Yamane, Nakasone, Souki, Takamine and Yamashita.

H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION IN 2010," was jointly offered by Representatives Caldwell, Awana, Brower, Chong, Green, Ito, Karamatsu, Magaoay, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Sonson, Tokioka, Yamane, Evans, Har, Herkes, Lee, Morita, Shimabukuro, Souki, Tsuji and Yamashita.

H.C.R. No. 232, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO STUDY THE FEASIBILITY OF AND NEED FOR THE ESTABLISHMENT OF A GREEN ENERGY COORDINATOR OFFICE," was jointly offered by Representatives Caldwell, Awana, Belatti, Carroll, Chang, Green, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Nishimoto, Pine, Shimabukuro, Tokioka, Tsuji, Yamane, Yamashita, Chong, Evans, Marumoto, Sonson, Souki and Takamine.

H.C.R. No. 233, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE," was jointly offered by Representatives Bertram, Awana, Ching, Rhoads, Shimabukuro, Berg, Evans, Souki and Ward.

H.C.R. No. 234, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH NUTRITION STANDARDS FOR FOOD AND BEVERAGE SOLD IN PUBLIC SCHOOLS AND TO PROVIDE NUTRITION TRAINING AND EDUCATION TO FOOD SERVICE MANAGERS AND STUDENTS," was jointly offered by Representatives Bertram, Awana, Berg, Ching, Evans, McKelvey, Rhoads, Brower, Shimabukuro, Tsuji and Ward.

H.C.R. No. 235, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE USE OF TAX INCENTIVES TO ENCOURAGE THE USE OF ALTERNATE ENERGY SOURCES," was offered by Representative Bertram.

H.C.R. No. 236, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THAT THE LAWFULLY ENACTED STATE SOCIAL POLICIES OF THE TWELVE STATES THAT HAVE ENACTED STATE LAWS TO AUTHORIZE THE MEDICAL USE OF MARIJUANA, AND THE ACTIONS OF THOSE LAWFULLY CONFORMING TO THOSE STATE LAWS BY THE USE OF MEDICAL MARIJUANA SHALL NOT BE ENJOINED," was offered by Representative Bertram.

H.C.R. No. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was jointly offered by Representatives Manahan, Herkes, Ito, Karamatsu, Lee, Say, Tokioka, Tsuji, Yamane and Yamashita.

H.C.R. No. 238, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER," was offered by Representative Mizuno, by request.

H.C.R. No. 239, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE POTENTIAL FINANCIAL AND ECONOMIC IMPACT TO THE STATE AND THE STATE'S HEALTHCARE SYSTEM OF PROVIDING CARE FOR PATIENTS WITH CHRONIC KIDNEY DISEASE AT ALL FIVE STAGES," was jointly offered by Representatives Magaoay, Awana, Brower, Green, Manahan, Mizuno, and M. Oshiro.

H.C.R. No. 240, entitled: "HOUSE CONCURRENT RESOLUTION A RESOLUTION TO COMMEMORATE MARCH 13, 2008 AS WORLD KIDNEY DAY AND THE MONTH OF MARCH AS KIDNEY AWARENESS MONTH IN THE STATE OF HAWAII," was jointly offered by Representatives Mizuno, Awana, Brower, Green and Manahan.

H.C.R. No. 241, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PREPARE LEGISLATION FOR A PROPOSED CONSTITUTIONAL AMENDMENT TO PROHIBIT EXECUTIVES, OFFICERS, AGENTS, OR EMPLOYEES OF INSURERS AND BUSINESS ENTITIES THAT HAVE CASES IN LITIGATION FROM SERVING ON THE HAWAII JUDICIAL SELECTION COMMISSION," was offered by Representative Sonson.

H.C.R. No. 242, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO INCREASE SPENDING ON MARKETING," was offered by Representative Marumoto.

[Note: The following House Concurrent Resolutions were received by the Clerk's Office after the Chair declared the day's final recess and prior to the 6:00 p.m. closing of the Journal this legislative day.]

H.C.R. No. 243, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND ADOPT ADMINISTRATIVE RULES REGARDING THE CREATION AND ENFORCEMENT OF BAG LIMITS FOR ORNAMENTAL REEF FISH," was jointly offered by Representatives McKelvey, Berg, Morita, Caldwell, Chong, Lee, Mizuno, Shimabukuro and Yamane.

H.C.R. No. 244, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF PUBLIC ACCOUNTANCY TO CONVENE A MEETING TO DISCUSS ISSUES FACING THE ACCOUNTING PROFESSION," was offered by Representative Herkes.

H.C.R. No. 245, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING ENTITIES IN THE CRUISE INDUSTRY THAT OPERATE CRUISES VISITING THE STATE TO FULLY PARTICIPATE IN GOOD FAITH WITH THE ONGOING STUDY ENTITLED THE *HAWAII CRUISE INDUSTRY STUDY*, INTENDED TO ASSESS THE CURRENT AND POTENTIAL IMPACTS OF THE CRUISE INDUSTRY ON EACH ISLAND AND THE STATE UNTIL THE YEAR 2018," was offered by Representative Yamane.

H.C.R. No. 246, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEVELOPMENT OF GOOD FAITH VALUATION STANDARDS AND NEGOTIATING PRACTICES FOR LONG-TERM INDUSTRIAL AND COMMERCIAL REAL ESTATE LEASES IN HAWAII," was jointly offered by Representatives Say and Yamashita.

H.C.R. No. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was jointly offered by Representatives Say and Evans.

H.C.R. No. 248, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO EVALUATE THE POSSIBILITY OF USING A CONSERVATION LAND TRUST IN THE ALA WAI WATERSHED AREA," was jointly offered by Representatives Say, Brower, Caldwell and Nishimoto.

H.C.R. No. 249, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT MALUHIA, IN CONCERT WITH LEAHI HOSPITAL, INITIATE MASTER PLANNING ACTIVITIES TO UPGRADE ITS FACILITIES AND COLLABORATE WITH OTHER LONG-TERM CARE PROVIDERS TO ADDRESS HAWAII'S INCREASING ELDERLY AND CHRONICALLY ILL POPULATIONS," was jointly offered by Representatives Say, Marumoto and Nishimoto.

H.C.R. No. 250, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ENCOURAGE EACH ADULT RESIDENTIAL CARE HOME LICENSE APPLICANT TO OFFER TO MAKE A PRESENTATION TO THE RELEVANT NEIGHBORHOOD BOARD IN WHOSE DISTRICT THE HOME IS LOCATED," was jointly offered by Representatives Say, Berg, Caldwell, Marumoto and Nishimoto.

H.C.R. No. 251, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONTINUE TO CONDUCT THE PERFORMANCE AUDIT OF THE STATE ADMINISTRATION'S ACTIONS IN EXEMPTING HARBOR IMPROVEMENTS FOR THE HAWAII SUPERFERRY FROM AN ENVIRONMENTAL ASSESSMENT OR ENVIRONMENTAL IMPACT STATEMENT," was offered by Representative Say.

H.C.R. No. 252, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO DEVELOP AN ACTION PLAN FOR ADDRESSING INCIDENTS OF PESTICIDE EXPOSURE AT PUBLIC SCHOOLS," was jointly offered by Representatives Sagum and Morita.

H.C.R. No. 253, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO MAINTAIN A TEACHER'S STEP STANDING WHEN A TEACHER TRANSFERS BACK TO THE DOE FROM A CONVERSION CHARTER SCHOOL," was offered by Representative Shimabukuro.

H.C.R. No. 254, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was offered by Representative Herkes.

H.C.R. No. 255, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU, THE COUNTY OF HAWAII, AND KAUAI COUNTY TO PROVIDE AN INCREASE IN INFORMATION THAT WILL INFORM AND ENABLE HOMEOWNERS TO GAIN KNOWLEDGE OF THE FLOOD ZONE THAT HOMES ARE LOCATED IN AND THE RISKS OF FLOODING," was offered by Representative Chong, by request.

H.C.R. No. 256, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII UTILITY COMPANIES THAT PROVIDE UTILITY SERVICES TO ESTABLISH AND IMPLEMENT A PROCEDURE FOR THE TIMELY REPLACEMENT OF DAMAGED OR UNSIGHTLY UTILITY POLES," was offered by Representative Chong, by request.

H.C.R. No. 257, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO INCLUDE A WEST MAUI SCHOOL IN ITS PILOT PROGRAM TO REDUCE HEAT DISCOMFORT IN CLASSROOMS," was offered by Representative McKelvey.

H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO COORDINATE THE CITY AND STATE AGENCIES IN ADDRESSING THE OVERGROWTH OF VEGETATION ON KAHALA BEACH," was offered by Representative Marumoto.

H.C.R. No. 259, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO RECOGNIZE THE SIMULTANEOUS USAGE OF SIGN LANGUAGE AND SPEECH IN PROVIDING FOR THE EDUCATION OF HEARING EXCEPTIONAL CHILDREN," was offered by Representative Takumi.

H.C.R. No. 260, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE, IN COLLABORATION WITH THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO AND HAWAII COMMUNITY COLLEGE TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was jointly offered by Representatives Tsuji, Brower, Chang, Chong, Evans, Yamane, Yamashita and Takamine.

H.C.R. No. 261, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ON THE REBUTTABLE PRESUMPTION OF JOINT PHYSICAL AND LEGAL CUSTODY IN FAMILY COURT CHILD CUSTODY PROCEEDINGS," was jointly offered by Representatives Mizuno and Brower.

H.C.R. No. 262, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE WAIKIKI MARINE LIFE CONSERVATION DISTRICT AND ITS IMMEDIATELY SURROUNDING AREAS INCLUDE PROJECTS TO MANAGE OR ENHANCE FISHERIES FOR LONG-TERM SUSTAINABILITY OF THE RESOURCES, PROTECT AND RESTORE THE AQUATIC ENVIRONMENT, PROTECTING NATIVE AND RESIDENT AQUATIC SPECIES AND THEIR HABITAT," was offered by Representative Nishimoto, by request.

H.C.R. No. 263, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII, WITH CONSULTATION FROM THE INTERDISCIPLINARY TEAM ESTABLISHED BY HOUSE BILL NO. 2510, H.D. 2, TO REVIEW THE FEASIBILITY AND IMPACT OF REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT TO INCLUDE EFFECTS OF A PROPOSED ACTION AS A CONTRIBUTOR TO CLIMATE CHANGE," was jointly offered by Representatives Morita, Berg, Caldwell, Carroll, Ching, Luke, Mizuno, Rhoads, Shimabukuro, Thielen, Tsuji, Waters, Awana, Belatti, Bertram, Chang, Evans, Har, Manahan, McKelvey, Pine, Sagum and Saiki.

H.C.R. No. 264, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING A HAWAII STATE GEOLOGICAL SURVEY," was jointly offered by Representatives Morita, Thielen, Carroll, Ito, Karamatsu, Sagum and Saiki.

H.C.R. No. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was jointly offered by Representatives Morita, Tokioka and Sagum.

H.C.R. No. 266, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN ANNUAL REPORT WITH REGARD TO THE APPLIED RESEARCH LABORATORY FOR EACH OF THE NEXT THREE YEARS FROM THE UNIVERSITY OF HAWAII TO THE LEGISLATURE," was offered by Representative Morita.

H.C.R. No. 267, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE AN INFORMATIONAL BRIEFING AND DEMONSTRATION TO THE APPROPRIATE SENATE AND HOUSE COMMITTEES REGARDING THE OPERATION AND USE OF NEW ELECTRONIC VOTING SYSTEMS AND TO PROVIDE INFORMATION PRIOR TO CONTRACTING TO PURCHASE ANY NEW VOTING SOFTWARE OR EQUIPMENT RELATED TO ANY NEW VOTING SYSTEM," was offered by Representative Morita.

H.C.R. No. 268, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO EXERCISE EMERGENCY POWERS TO EXPEDITE THE INSTALLATION OF AIR CONDITIONING AT JAMES CAMPBELL HIGH SCHOOL," was offered by Representative Cabanilla.

H.C.R. No. 269, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DECLARE A STATE OF EMERGENCY REGARDING THE CRITICAL CONDITION OF OAHU'S TRAFFIC, AND REQUESTING THE ASSISTANCE OF THE FEDERAL GOVERNMENT TO TAKE IMMEDIATE ASSISTING ACTION TO RESOLVE THE PRESENT CRISIS," was jointly offered by Representatives Cabanilla and Souki.

H.C.R. No. 270, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was jointly offered by Representatives B. Oshiro, Bertram, Carroll, Morita, Thielen and Chang.

H.C.R. No. 271, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PREVENTION OF THE SALE OF OIL AND GAS LEASES AND OF DRILLING IN THE CHUKCHI AND BEAUFORT SEA REGIONS OF ALASKA," was jointly offered by Representatives B. Oshiro, Carroll, Morita and Thielen.

H.C.R. No. 272, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PROCUREMENT POLICY BOARD TO REMOVE OR CLARIFY THE EXEMPTION OF FRESH MEAT AND PRODUCE AND ANIMALS AND PLANTS FROM THE PUBLIC PROCUREMENT CODE AND TO ADOPT A POLICY TO FACILITATE IMPLEMENTING THE PUBLIC PROCUREMENT CODE PREFERENCE FOR HAWAII PRODUCTS," was jointly offered by Representatives B. Oshiro, Herkes, Karamatsu, Magaoay, Tsuji and Yamashita.

H.C.R. No. 273, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTY OF MAUI TO ADOPT AN ORDINANCE LIMITING THE NUMBER OF TIME SHARE UNITS IN MAUI COUNTY," was jointly offered by Representatives McKelvey, Bertram and Carroll.

H.C.R. No. 274, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO OPPOSE H.R. 4137, THE COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007," was jointly offered by Representatives Takai, Takumi, Bertram, Cabanilla, Chang, Ching, Finnegan, Nishimoto, Saiki, Takamine and Wakai.

H.C.R. No. 275, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO ESTABLISH PARITY BETWEEN PRIVATE NONPROFIT MENTAL HEALTH CENTERS AND MENTAL HEALTH CENTERS OPERATING WITHIN THE DEPARTMENT OF HEALTH'S STATEWIDE SYSTEM RELATING TO QUALIFICATIONS FOR COST REIMBURSEMENT FOR SERVICES PROVIDED, FEE FOR SERVICE, AND SALARIES AND BENEFITS," was offered by Representative Shimabukuro.

H.C.R. No. 276, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO "THE MYRON THOMPSON SCHOOL OF SOCIAL WORK"," was jointly offered by Representatives Lee, Chang, Hanohano, Manahan, McKelvey, Mizuno, B. Oshiro, Brower, Carroll, Har, Karamatsu and Souki.

H.C.R. No. 277, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was jointly offered by Representatives Lee, Brower, Chang, Hanohano, Har, Karamatsu, Manahan, Mizuno, B. Oshiro, Tokioka, Carroll, Saiki and Souki.

H.C.R. No. 278, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR, THE CITY COUNCIL, AND THE DEPARTMENT OF PARKS AND RECREATION OF THE CITY AND COUNTY OF HONOLULU TO ESTABLISH AND IMPLEMENT A FAIR AND BALANCED PERMITTING PROCESS TO ENSURE THAT WOMEN SURFERS AND BODYBOARDERS ARE TREATED EQUITABLY IN THEIR APPLICATIONS FOR PERMITS TO CONDUCT SHORE WATER EVENTS THAT INCLUDE SURFING AND BODYBOARDING CONTESTS FOR WOMEN ON OAHU," was jointly offered by Representatives Magaoay, Awana, Belatti, Caldwell, Ching, Chong, Evans, Hanohano, Herkes, Karamatsu, Lee, Marumoto, Morita, B. Oshiro, Shimabukuro, Yamane, Cabanilla, Chang, Finnegan, Pine, Takumi and Tsuji.

H.C.R. No. 279, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE OMBUDSMAN," was jointly offered by Representatives Magaoay, B. Oshiro, Finnegan, Karamatsu and Tokioka.

H.C.R. No. 280, entitled: "HOUSE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE STATE AUDITOR," was jointly offered by Representatives Magaoay, B. Oshiro, Finnegan, Karamatsu and Tokioka.

H.C.R. No. 281, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO STUDY THE RAMIFICATIONS OF ADOPTING THE NEW INTERSTATE COMPACT FOR THE PLACEMENT OF CHILDREN," was offered by Representative Pine, by request.

H.C.R. No. 282, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING SHIPPING COMPANIES TO ASSIST THE HONOLULU FIRE DEPARTMENT WITH ENFORCEMENT OF THE STATE FIREWORKS CONTROL LAW," was jointly offered by Representatives Pine, Brower, Nishimoto, Takai, Thielen, Yamane, Belatti, Bertram, Luke, Meyer, Mizuno, B. Oshiro, Souki, Wakai and Ward.

H.C.R. No. 283, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE OFFICE OF HAWAIIAN AFFAIRS TO STUDY THE EFFECTS OF AMENDING THE LAW CONCERNING KULEANA LANDS," was jointly offered by Representatives Tokioka, Hanohano, Morita and Say.

H.C.R. No. 284, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HEALTH TO CONDUCT A FEASIBILITY STUDY ON IMPROVING HAWAII'S SAFE HAVEN LAW BY REQUIRING THE IDENTIFICATION OF THE NEWBORN CHILD AND PERSON PRESENTING THE NEWBORN CHILD TO SAFE HAVEN PERSONNEL BEFORE ACCEPTING THE NEWBORN CHILD AND THE EFFICACY OF SAFE HAVEN LAWS IN OTHER STATES," was offered by Representative Ching.

H.C.R. No. 285, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CONVENING OF A TASK FORCE TO CONDUCT OUTREACH AND EDUCATION REGARDING ANIMAL CRUELTY," was offered by Representative Ching.

H.C.R. No. 286, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO DEFER DECISIONS ON ANY APPLICATIONS FOR ZONING CHANGES UNTIL THE COMPLETION OF THE SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PROCESS AND THE SUBSEQUENT ADOPTION OF THE DRAFT MAUKA AREA PLAN AND THE MAUKA AREA RULES," was jointly offered by Representatives Brower, Luke, Rhoads, Belatti and Saiki.

H.C.R. No. 287, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO IMPLEMENT RENEWABLE ENERGY PILOT PROJECTS AT LAHAINALUNA HIGH SCHOOL, LAHAINA INTERMEDIATE SCHOOL, AND PRINCESS NAHIENAENA ELEMENTARY SCHOOL ON THE ISLAND OF MAUI USING SOLAR AND WIND ENERGY," was offered by Representative McKelvey.

H.C.R. No. 288, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF PERSONS WHO APPREHEND BAIL FUGITIVES," was jointly offered by Representatives Souki and McKelvey.

H.C.R. No. 289, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE RESOLUTION ADOPTED BY THE BOARD OF LAND AND NATURAL RESOURCES DESIGNATING CERTAIN PUBLIC LANDS AS AN INDUSTRIAL PARK," was jointly offered by Representatives Tsuji, Chang, Ito, Takamine and Yamashita.

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was offered by Representative Ching.

H.C.R. No. 291, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE STATE HISTORIC PRESERVATION OFFICER TO CONVENE A TASK FORCE TO COMPILE AND MAINTAIN A HAWAII HERITAGE LIST COMPRISED OF UNIQUE HISTORIC PROPERTIES THAT REPRESENT OR CHARACTERIZE HAWAIIAN CULTURE AND HERITAGE," was jointly offered by Representatives Ching and Marumoto.

H.C.R. No. 292, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE RECOGNITION AND DESIGNATION OF THE ORIGINAL INDIGENOUS INHABITANTS OF THE HAWAIIAN ISLANDS AND THEIR DESCENDANTS, THE NATIVE HAWAIIAN PEOPLE, AS FIRST NATION PEOPLES AND THE ESTABLISHMENT OF AN ASSEMBLY OF FIRST NATION PEOPLES," was jointly offered by Representatives Awana, Hanohano, McKelvey, Mizuno, Berg, Bertram, Carroll and Shimabukuro.

H.C.R. No. 293, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COMPTROLLER TO TRANSFORM THE POOLS THAT SURROUND THE STATE CAPITOL WITH TRADITIONAL LO'I STOCKED WITH FISH," was offered by Representative Shimabukuro.

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 jointly offered by Representatives Say and Chang.

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 jointly offered by Representatives Say and Chang.

H.C.R. No. 296, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY'S DEEP SEAWATER PUMPING SYSTEM," was jointly offered by Representatives Wakai, Berg, Brower, Lee, Mizuno, Takai, Takumi, Luke, Marumoto, Morita, M. Oshiro and Ward.

H.C.R. No. 297, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO REVIEW THE FAMILY COURT'S JUDICIAL WAIVER PROCESS INVOLVING JUVENILE FELONY DEFENDANTS," was offered by Representative B. Oshiro, Pine and Waters.

H.C.R. No. 298, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY TO DEVELOP METHODS TO IDENTIFY NATURAL AND GENETICALLY-MODIFIED ORGANISMS," was offered by Representative Bertram.

H.C.R. No. 299, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A TASK FORCE ON AGING TO EXAMINE THE NEED FOR AND FEASIBILITY OF, AND TO PREPARE PRELIMINARY PLANS FOR, THE CONSOLIDATION OF PUBLICLY FUNDED PROGRAMS AND SERVICES THAT WOULD APPROPRIATELY FALL WITHIN THE JURISDICTION OF A NEW DEPARTMENT OF AGING," was jointly offered by Representatives Bertram, Green, Mizuno and Shimabukuro.

H.C.R. No. 300, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO IMPLEMENT THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S DESIGN GUIDANCE DOCUMENT ON INTEGRATING BICYCLING AND WALKING WHEN BUILDING THEIR TRANSPORTATION INFRASTRUCTURE IN ORDER FOR ALL HAWAII RESIDENTS WHO CHOOSE TO WALK OR BICYCLE TO DO SO SAFELY AND EFFICIENTLY," was jointly offered by Representatives Bertram, Pine, Har and Souki.

H.C.R. No. 301, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE FEDERAL AGENCIES INVOLVED IN CLASSIFYING CONTROLLED SUBSTANCES TO CONSIDER RECLASSIFYING MARIJUANA AS A SCHEDULE III SUBSTANCE," was offered by Representative Bertram.

H.C.R. No. 302, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was jointly offered by Representatives Bertram, Pine and Souki.

H.C.R. No. 303, entitled: "HOUSE CONCURRENT RESOLUTION RENAMING THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY AS THE GEORGE R. ARIYOSHI NATURAL ENERGY LAB," was jointly offered by Representatives Takamine, Caldwell, Chang, Tsuji, Chong, Hanohano and Herkes.

H.C.R. No. 304, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PUBLIC UTILITIES COMMISSION TO RULE THAT ALL SCHEDULE Q CONTRACTS SHOULD RECEIVE THE FULL AVOIDED COST PRICING AS WRITTEN IN THE EXISTING SCHEDULE Q ELECTRICITY RATE SCHEDULE FOR EACH UTILITY," was jointly offered by Representatives Takamine, Caldwell, Evans, Hanohano, Tsuji, Chang and Chong.

H.C.R. No. 305, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO SURVEY OTHER STATES TO DETERMINE HOW NURSING FACILITIES IN RURAL AREAS ADDRESS THEIR TRANSPORTATION AND PARKING ISSUES RELATED TO THE TRANSPORT OF NURSING FACILITY RESIDENTS," was jointly offered by Representatives Takamine, Caldwell, Chang, Evans, Hanohano, Herkes, Tsuji and Chong.

H.C.R. No. 306, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A TEMPORARY HAWAII SUSTAINABLE INTERISLAND TRANSPORTATION TASK FORCE," was jointly offered by Representatives Takamine, Evans, Hanohano and Tsuji.

H.C.R. No. 307, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE WILLIAM S. RICHARDSON SCHOOL OF LAW TO CONDUCT A STUDY ON LEGISLATIVE SOLUTIONS TO ADDRESS THE IMPACT OF ADULT RESIDENTIAL CARE HOME FACILITIES IN RESIDENTIAL NEIGHBORHOODS," was jointly offered by Representatives Marumoto, Caldwell, Ching, Say, Berg, Mizuno, and M. Oshiro.

H.C.R. No. 308, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO NAME THE SCHOOL OF SOCIAL WORK AFTER MR. MYRON "PINKY" THOMPSON," was jointly offered by Representatives M. Oshiro, Say and Yamane.

H.C.R. No. 309, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A PRE-NEED FUNERAL INDUSTRY ADVISORY COMMITTEE TO PROVIDE INPUT ON CONCERNS AND SOLUTIONS REGARDING THE PRE-NEED FUNERAL INDUSTRY," was offered by Representative Mizuno.

H.C.R. No. 310, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE THE AUTHORITY GRANTED TO THEM UNDER SECTION 342D-70, HAWAII REVISED STATUTES, AND ADOPT AND IMPLEMENT STANDARDS FOR THE REUSE OF RESIDENTIAL GRAY WATER FOR SUBSURFACE LANDSCAPE IRRIGATION," was offered by Representative Mizuno.

H.C.R. No. 311, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING NO NEW LANDFILLS ON THE LEEWARD COAST," was offered by Representative Mizuno.

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 jointly offered by Representatives Chang, Hanohano, Herkes, Karamatsu, Mizuno, B. Oshiro, Takai, Tsuji, Wakai, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Ito, Lee, Nishimoto, Shimabukuro, Takamine and Takumi.

H.C.R. No. 313, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO PERFORM A MANAGEMENT AUDIT OF THE UNIVERSITY OF HAWAII AT MANOA SCHOOL OF SOCIAL WORK," was jointly offered by Representatives Chang, Hanohano, Herkes, Mizuno, B. Oshiro, Yamane, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Ito, Karamatsu, Lee, Shimabukuro, Takamine, Takumi, Tsuji and Wakai.

H.C.R. No. 314, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND ADMINISTER A REHABILITATIVE AND RELATED SERVICES GRADUATE SCHOOL LOAN PROGRAM WITHIN ITS CENTER ON DISABILITY STUDIES," was jointly offered by Representatives Chang, Hanohano, Herkes, Ito, Karamatsu, Mizuno, Nishimoto, B. Oshiro, Takai, Tsuji, Berg, Bertram, Cabanilla, Carroll, Evans, Har, Lee, Shimabukuro, Takamine, Takumi and Wakai.

H.C.R. No. 315, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO SUPPORT THE CREATION OF A HISTORIC PRESERVATION TRADES PROGRAM WITHIN THE COMMUNITY COLLEGE SYSTEM," was jointly offered by Representatives Evans and Ching.

H.C.R. No. 316, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTY POLICE CHIEFS AND THE DIRECTOR OF PUBLIC SAFETY TO ADOPT A POLICY MAKING MARIJUANA POSSESSION OFFENSES BY MEDICAL MARIJUANA PATIENTS THE LOWEST PRIORITY FOR INVESTIGATION AND ARREST," was offered by Representative Bertram.

H.C.R. No. 317, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT A COMPREHENSIVE PLAN TO ASSIST THE BUREAU OF CONVEYANCES IN BECOMING A MORE EFFICIENT, EFFECTIVE, AND ACCOUNTABLE OPERATION, AND DEVELOP STRATEGIC INITIATIVES FOR THE BUREAU," was offered by Representative Souki.

H.C.R. No. 318, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES," was offered by Representative Souki.

H.C.R. No. 319, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE CONVENING OF A TASK FORCE TO DEVISE A STRATEGIC AND IMPLEMENTATION PLAN FOR THE RESTORATION OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was jointly offered by Representatives Ching, Brower, Finnegan, Hanohano, Marumoto, Chang, Evans, Karamatsu, Lee, Meyer, Shimabukuro and Tsuji.

H.C.R. No. 320, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE CONGRESSIONAL DELEGATION OF THE STATE OF HAWAII TO IDENTIFY AND ACQUIRE FUNDING FOR THE RESTORATION OF THE WAIKIKI WAR MEMORIAL NATATORIUM," was jointly offered by Representatives Ching, Brower, Chang, Finnegan, Hanohano, Meyer, Evans, Karamatsu, Lee, Marumoto, Shimabukuro and Tsuji.

H.C.R. No. 321, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REPORT ON THE FEASIBILITY OF A TWO-TIERED SYSTEM FOR ENFORCING BOATING LAW VIOLATIONS THAT DO NOT POSE AN IMMINENT AND SERIOUS THREAT TO PUBLIC HEALTH OR SAFETY," was jointly offered by Representatives Meyer, Brower, Marumoto, Sonson, Bertram, Cabanilla, Caldwell, Evans, Ito, Karamatsu, Mizuno and Ward.

H.C.R. No. 322, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU DEVELOP A STATE-CITY PARTNERSHIP FOR THE SHARED USAGE OF VACANT LAND ACROSS FROM THE SMALL BOAT HARBOR AT HE`EIA KEA," was jointly offered by Representatives Meyer, Bertram, Brower, Cabanilla, Caldwell, Evans, Karamatsu, Marumoto, Mizuno, Sonson and Ward.

H.C.R. No. 323, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO PROVIDE RECOMMENDATIONS TO THE LEGISLATURE IN UPDATING THE HAWAII REVISED STATUTES REGARDING EARLY INTERVENTION AND SPECIAL EDUCATION IN RESPONSE TO THE ENACTMENT OF THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 AND THE CURRENT NEEDS OF OUR CHILDREN WITH DISABILITIES," was jointly offered by Representatives Meyer, Ching and Finnegan.

H.C.R. No. 324, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN APPROPRIATION TO THE HAWAII STATE PUBLIC SCHOOL SYSTEM DESIGNATED SPECIFICALLY FOR THE PURCHASE OF A NEW EFFECTIVE FILTER TO BLOCK INAPPROPRIATE WEB CONTENT," was jointly offered by Representatives Ward, Brower, Ching, Evans, Awana, Berg, Finnegan, Hanohano, McKelvey and Pine.

H.C.R. No. 325, entitled: "HOUSE CONCURRENT RESOLUTION DEVELOPING HAWAII'S NATIONAL DISASTER PREPAREDNESS TRAINING AND CONSULTATION PROGRAM FOR PRIVATE, GOVERNMENTAL, AND NON-PROFIT ENTITIES WITH AN EMPHASIS ON AT-RISK COMMUNITIES," was offered by Representative Evans.

H.C.R. No. 326, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was jointly offered by Representatives Ching and Tsuji.

H.C.R. No. 327, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE MOLUCCA ALBIZIA TREE," was offered by Representative Caldwell.

H.C.R. No. 328, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF URBAN AND REGIONAL PLANNING OF THE UNIVERSITY OF HAWAI'I AT MANOA TO PROVIDE A WRITTEN STATUS REPORT OR BRIEF THE LEGISLATURE ON THE PROPOSED NATIONAL DISASTER PREPAREDNESS TRAINING CENTER," was jointly offered by Representatives Caldwell and Sonson.

H.C.R. No. 329, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE OPPORTUNITIES FOR STUDENTS TO LEARN ABOUT HAWAII LABOR HISTORY," was jointly offered by Representatives Caldwell and Sonson.

H.C.R. No. 330, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING AN APPROPRIATION TO THE HAWAII STATE PUBLIC SCHOOL SYSTEM DESIGNATED SPECIFICALLY FOR THE PURCHASE OF MORE COMPUTERS WITH INTERNET ACCESS," was jointly offered by Representatives Ward, Awana, Belatti, Evans, Hanohano, McKelvey and Pine.

H.C.R. No. 331, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII CREATES A TECHNOLOGY AND INNOVATION EXTENSION SERVICE," was jointly offered by Representatives Ward, Evans, Awana, Bertram, Ching, Chong, Hanohano, Marumoto, McKelvey, Meyer, Pine and Shimabukuro.

H.C.R. No. 332, entitled: "HOUSE CONCURRENT RESOLUTION RECOMMENDING STUDENT ATHLETICS BE CONSIDERED AS A SEMESTER CREDIT PER YEAR OF PHYSICAL EDUCATION TOWARDS A HAWAII HIGH SCHOOL DIPLOMA IN PUBLIC SCHOOLS," was jointly offered by Representatives Ward, Brower, Ching, Awana, Belatti, Evans, Finnegan, Hanohano, McKelvey and Pine.

H.C.R. No. 333, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A REQUIRED PUBLIC SPEAKING AND ARGUMENTATION SEMESTER TO BE COMPLETED BY EACH HAWAII HIGH SCHOOL STUDENT IN ORDER TO GRADUATE," was jointly offered by Representatives Ward, Awana, Brower, Ching, Hanohano, McKelvey and Pine.

H.C.R. No. 334, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE STATE OF HAWAII WILL ADOPT THE 10 PRINCIPLES FOR HEALTH CARE REFORM AS PROPOSED BY THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS," was jointly offered by Representatives Ward, Awana, Berg, Brower, Ching, Finnegan, Hanohano, McKelvey and Pine.

H.C.R. No. 335, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO RECOGNIZE THE SIMULTANEOUS USAGE OF SIGN LANGUAGE AND SPEECH IN PROVIDING FOR THE EDUCATION OF HEARING EXCEPTIONAL CHILDREN," was jointly offered by Representatives Ward, Awana, Berg, Brower, Ching, Evans, Finnegan, Marumoto, Morita, Karamatsu, Lee, Mizuno, Saiki and Shimabukuro.

H.C.R. No. 336, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF PLANNING PREPARE AND FILE A PETITION WITH THE LAND USE COMMISSION TO SYNCHRONIZE STATE LAND USE CLASSIFICATIONS WITH CITY AND COUNTY LAND USE CLASSIFICATIONS. LANDS THAT ARE CLASSIFIED BY THE CITY AND COUNTY AS PRESERVATION, YET BY THE STATE AS URBAN, SHOULD BE UPDATED TO A STATE CONSERVATION DISTRICT CLASSIFICATION. DIRECTS THE CITY AND COUNTY OF HONOLULU TO NOT ISSUE ANY PERMITS ALLOWING THE DEVELOPMENT ON SUCH LAND, PENDING THE FINAL DISPOSITION OF THE PETITION," was jointly offered by Representatives Ward, Awana, Bertram, Brower, Evans, Karamatsu, Marumoto, Mizuno, Morita and Shimabukuro.

H.C.R. No. 337, entitled: "HOUSE CONCURRENT RESOLUTION URGING DEVELOPERS OF A CEMETERY IN HAWAII KAI TO AVOID MERCURY EMISSIONS FROM ANY PROPOSED CREMATORIUM," was jointly offered by Representatives Ward, Brower, Awana, Belatti, Evans, Finnegan, Karamatsu, Lee, McKelvey, Mizuno, Morita and Shimabukuro.

H.C.R. No. 338, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE EXECUTIVE BRANCH DEPARTMENTS TO ENCOURAGE, PROMOTE AND INCREASE TELECOMMUTING AND FLEX-TIME OPTIONS FOR STATE EMPLOYEES," was jointly offered by Representatives Ward, Evans, Finnegan, Lee, McKelvey, Morita, Shimabukuro, Awana, Belatti, Berg, Brower, Hanohano, Karamatsu, Mizuno, Pine and Saiki.

H.C.R. No. 339, entitled: "HOUSE CONCURRENT RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was jointly offered by Representatives Ward, Bertram, Ching, Evans, Finnegan, Pine, Awana, Belatti, Berg, Brower, Hanohano, Karamatsu, Marumoto, McKelvey, Meyer, Mizuno, Morita, Saiki and Shimabukuro.

H.C.R. No. 340, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO RECOMMEND AND THE BOARD OF EDUCATION TO APPROVE A PLAN TO SHIFT ADDITIONAL DISCRETIONARY AND NON-DISCRETIONARY FUNDS INTO THE WEIGHTED STUDENT FORMULA FUND," was offered by Representative Finnegan.

H.C.R. No. 341, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION OF THE STATE OF HAWAII TO DEVELOP AN IMPROVED METHOD FOR CALCULATING HAWAII'S DROPOUT RATES USING A FOUR YEAR DROP OUT PERIOD," was offered by Representative Finnegan.

H.C.R. No. 342, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO IMPROVE HAWAII'S LONGITUDINAL DATA SYSTEM, AND SPECIFICALLY REQUESTS THE BOARD OF EDUCATION AND DEPARTMENT OF EDUCATION TO DEVELOP ACCOUNTABILITY MEASURES FOR SCHOOLS THAT DO A POOR JOB IN COLLECTING AND SUBMITTING COMPLETE AND ACCURATE INFORMATION.," was offered by Representative Finnegan.

H.C.R. No. 343, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE OF THE STATE OF HAWAII FOR REVIEW OF ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES ON LAND EXCHANGES," was offered by Representative B. Oshiro.

H.C.R. No. 344, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION TO EXAMINE THE POLICIES, PHILOSOPHIES, AND APPROACHES OF THE INDEPENDENT SCHOOLS WITH REGARDS TO TEACHERS, STAFF, AND ADMINISTRATION AND TO ADOPT, WHERE APPROPRIATE AND APPLICABLE, SUCCESSFUL STRATEGIES TO PROVIDE THE BEST POSSIBLE EDUCATIONAL EXPERIENCE FOR THE CHILDREN OF HAWAII," was offered by Representative Ching.

H.C.R. No. 345, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO TELEVISE THE GENERAL MEETINGS OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was jointly offered by Representatives Ito, Awana, Hanohano, Karamatsu, Morita, Sagum, Tokioka, Waters and Chong.

H.C.R. No. 346, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONDUCT A STUDY ON PARTS I, II, IV, AND V OF TITLE 13, SUBTITLE 4, OF THE HAWAII ADMINISTRATIVE RULES," was jointly offered by Representatives Ito and Magaoay.

H.C.R. No. 347, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED IMMEDIATELY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," was jointly offered by Representatives Ito, Bertram, Carroll, McKelvey, Yamane and Yamashita.

H.C.R. No. 348, entitled: "HOUSE CONCURRENT RESOLUTION SUBMITTING TO THE LEGISLATURE ACTION TAKEN BY THE BOARD OF LAND AND NATURAL RESOURCES APPROVING IN PRINCIPLE A LAND EXCHANGE PURSUANT TO SECTION 171-50, HAWAII REVISED STATUTES," was offered by Representative Ito, by request.

H.C.R. No. 349, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF MEDICAL TORT REFORM ON ACCESS TO HEALTH CARE," was offered by Representative Waters.

H.C.R. No. 350, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO CONVENE A TASK FORCE TO REVIEW THE FAMILY COURT'S JUDICIAL WAIVER PROCESS INVOLVING JUVENILE FELONY DEFENDANTS," was jointly offered by Representatives Waters, Evans, Morita, B. Oshiro, Shimabukuro, Sonson, Rhoads and Yamashita.

H.C.R. No. 351, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was offered by Representative Finnegan.

H.C.R. No. 352, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DEVELOP PROPOSALS TO REDUCE GASOLINE PRICES IN HAWAII BY MAKING HAWAII'S ROADS AND PARKING MORE ENERGY EFFICIENT," was jointly offered by Representatives Carroll, Evans, Hanohano, Ito and McKelvey.

H.C.R. No. 353, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RETAIL MERCHANTS OF HAWAII AND HAWAII FOOD INDUSTRY ASSOCIATION TO SUBMIT A REPORT TO THE LEGISLATURE ON THEIR PUBLIC-EDUCATION CAMPAIGN ABOUT "REDUCING, REUSING, AND RECYCLING" PLASTIC BAGS," was jointly offered by Representatives Morita, Ito, Karamatsu and Saiki.

H.C.R. No. 354, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO ACKNOWLEDGE THE RELATIONSHIP BETWEEN URBAN DESIGN AND THE MENTAL AND PHYSICAL WELL-BRING OF PEOPLE AND FOR THE COUNTIES TO INCORPORATE THIS KNOWLEDGE INTO PERMIT AND DESIGN DECISIONS," was offered by Representative Ching.

H.C.R. No. 355, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO PETITION THE LAND USE COMMISSION TO RECLASSIFY CERTAIN PARCELS ALONG THE NORTH KOHALA COASTLINE ON THE ISLAND OF HAWAII TO THE CONSERVATION DISTRICT," was jointly offered by Representatives Evans, Ito and Yamashita.

H.C.R. No. 356, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was jointly offered by Representatives Yamashita, Tsuji, Yamane, Bertram, Carroll and Souki.

H.C.R. No. 357, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was jointly offered by Representatives Yamashita, Brower, Chang, Hanohano, Manahan, Tsuji, Yamane and Souki.

H.C.R. No. 358, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO SOLICIT PUBLIC INPUT AND EXAMINE METHODS OTHER THAN THE PUBLIC PROCUREMENT CODE PROCESS TO OVERSEE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS' EXPENDITURES AND ENSURE PROPER CHECKS AND BALANCES," was offered by Representative Yamashita.

H.C.R. No. 359, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE OWNERSHIP OF BLUE ANGEL FALLS," was jointly offered by Representatives Carroll, Morita, Ito and McKelvey.

H.C.R. No. 360, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO ESTABLISH A SEPARATE CALENDAR FOR CASES THAT INVOLVE ENVIRONMENTAL MATTERS," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 361, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 362, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS," was jointly offered by Representatives Carroll, Evans, McKelvey, Morita and Ito.

H.C.R. No. 363, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO SUPPORT THE CONTINUATION OF THE FEDERAL RENEWABLE ENERGY TAX CREDITS," was jointly offered by Representatives Carroll, Evans, Hanohano, Ito, McKelvey and Morita.

H.C.R. No. 364, entitled: "HOUSE CONCURRENT RESOLUTION URGING MAUI COUNTY NOT TO ISSUE ANY PERMIT OR SPECIAL PERMIT FOR ANY RESIDENTIAL OR COMMERCIAL DEVELOPMENT OF ANY WETLAND OR TIDAL AREA WITHIN ONE HUNDRED FEET OF THE SHORELINE UNLESS THE COUNTY FIRST SOLICITS PUBLIC INPUT AT A PUBLIC INFORMATIONAL MEETING," was jointly offered by Representatives Carroll, Ito, McKelvey and Morita.

H.C.R. No. 365, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES AND THE COMMISSION ON WATER RESOURCE MANAGEMENT TO REPORT WHY EACH HAS NOT TAKEN PROACTIVE MEASURES TO ENSURE THE WATER RIGHTS OF EAST MAUI RESIDENTS AND TO ESTABLISH A SIMPLE, CLEAR, AND EFFICIENT PROCESS FOR INVESTIGATING VIOLATIONS OF WATER USE," was jointly offered by Representatives Carroll, Hanohano, Ito, McKelvey and Morita.

H.C.R. No. 366, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF ULALENA LOOP ROAD, AND REQUESTING THE DEPARTMENT OF TRANSPORTATION TO SUBMIT A REPORT ON THE ESTIMATED COST OF REPAVING ULALENA LOOP ROAD," was jointly offered by Representatives Carroll, Evans, Hanohano, Ito, McKelvey and Morita.

H.C.R. No. 367, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND ASSIST IN THE RESOLUTION OF THE ISSUE OF OWNERSHIP OF NAKIHU BRIDGE AND LOWER NAHIKU ROAD," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 368, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR OF MAUI AND THE MAUI COUNTY COUNCIL TO ESTABLISH A REAL PROPERTY TAX STRUCTURE BASED ON THE CALIFORNIA PROPOSITION 13 PROPERTY TAX SYSTEM," was jointly offered by Representatives Carroll, Hanohano, Ito and McKelvey.

H.C.R. No. 369, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR AND THE COUNTY COUNCIL OF MAUI COUNTY TO CREATE A SEPARATE COUNTY CODE SPECIFICALLY FOR THE ISLAND OF MOLOKAI," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 370, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO HAVE ALL SIGNS AT THE STATE CAPITOL PRINTED IN ENGLISH AND HAWAIIAN," was jointly offered by Representatives Carroll, Evans, Hanohano, Ito, McKelvey and Morita.

H.C.R. No. 371, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF THE ATTORNEY GENERAL TO INVESTIGATE AND DETERMINE THE ISSUE OF OWNERSHIP OF ULAINO ROAD IN MAUI," was jointly offered by Representatives Carroll, Evans, Hanohano, McKelvey, Morita and Ito.

H.C.R. No. 372, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was jointly offered by Representatives Carroll, Hanohano, McKelvey, Evans, Ito and Morita.

H.C.R. No. 373, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING GRATITUDE TO THE RESIDENTS OF KALAUPAPA AND THEIR FAMILIES FOR THE SACRIFICES THEY MADE LIVING IN ISOLATION ON THE ISLAND OF MOLOKAI AND FOR BEING SEPARATED FROM SOCIETY," was jointly offered by Representatives Carroll, McKelvey, Morita and Ito.

ANNOUNCEMENTS

Representative Lee: "This is a poem.

While counting down, let's give a cheer.
The Easter Bunny is almost here.
The baskets are growing day by day,
And it will soon be time to give them away.
There's still time on the clock, so don't you worry,
You can complete a basket if you hurry.

"I have some examples on my desk, and we'll see you on May 20 at 1 p.m. in the Chamber Level. IHS will be there to pick up the completed baskets. Now this project is not limited to the Women's Legislative Caucus. You are all invited. We would like to thank the people who have contributed so far. Thank you very much."

Representative Green: "I don't know if this is an announcement, but I want to offer an apology to a colleague, the Representative from Kaneohe. During a hearing I think I misrepresented accidently, his intentions on a bill during a discussion we had. I didn't mean to suggest anything negative about him. I do appreciate his leadership here at the House of Representatives. And it's my fault that he and I were five or ten minutes late today because he appropriately asked me to clarify my position. So I offer my apologies to the Representative from Kaneohe for that discussion."

Representative Ito: "Mr. Speaker, apology accepted."

Representative Berg: "Thank you, Mr. Speaker. I have an announcement for tomorrow, for our colleagues. Tomorrow is Human Right's Day. Some affectionately call it Human Relations Day. We are also going to be hosting 80 Leaders For a Day, essay winners, and I invited my colleagues to join us at 9 a.m. in the Auditorium as Jonathan Kathrein, for the Future Leaders of Peace will be conducting a dialog with these young people. Thank you."

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Thielen introduced her friends, Carl Doumani and Pam Hunter from Napa Valley. They were accompanied by her husband, Mickey Thielen.

At 12:18 o'clock p.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

ANNOUNCEMENT

Representative Luke: "Mr. Speaker, I want to wish everybody, especially the gentlemen, a happy Bow Tie Wednesday. As you can see, clearly everyone didn’t get the memo except the Sergeant-at-Arms staff. So we’ll be looking forward to Bow Tie Wednesday being joined by other members, other than the Sergeant-at-Arms staff next week."

At this time, Representative B. Oshiro moved to keep the Journal open until 6:00 o'clock p.m. this legislative day for the purpose of receiving resolutions and concurrent resolutions for introduction, seconded by Representative Meyer, and carried. (Representatives Magaoay and Nakasone were excused.)

At 12:22 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 12:00 o'clock noon tomorrow, Thursday, March 13, 2008. (Representatives Magaoay and Nakasone were excused.)

ADJOURNMENT

At 6:00 o'clock p.m., the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 13, 2008.

THIRTY-FIRST DAY

Thursday, March 13, 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 the Speaker presiding.

The invocation was delivered by Representative James Kunane Tokioka, after which the Roll was called showing all members present with the exception of Representatives Brower, Cabanilla, Magaoay, Nakasone, Souki and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirtieth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 274) was received and announced by the Clerk:

Gov. Msg. No. 274, dated March 6, 2008, transmitting the report entitled "Relating to the Development of a Taro Security and Purity Research Program" as required by Senate Concurrent Resolution 206, Session Laws of Hawaii 2007.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Berg recognized the essay winning students in the "Leader for a Day" shadow program, and introduced Mr. Jonathan Kathrein, Executive Director of Future Leaders for Peace.

Representative Carroll introduced her cousin and member of the Campbell High School Varsity Girls Basketball Team, Ms. Alohalani Dias-Kekahuna.

Representative Green introduced his wife, Mrs. Jaime Green; daughter, Ms. Maia Green; and nephew, Mr. Laakea Ushiroda.

Representative Finnegan introduced from the Philippines, the Honorable Delphin Ting, Mayor of Tuguegarao; and his niece from Salt Lake City, Ms. April Cera.

Representative Finnegan also introduced her "Leader for a Day" shadow, Ms. Annie McDonald attending Moanalua Middle School; accompanied by her legislative staff, Ms. Carrie Kealoha and Mr. Steven Antonio.

Representative Ching introduced her "Leader for a Day" shadow, Ms. Catherine Guerero attending Manoa Elementary School; accompanied by her legislative staff, Ms. Katie Churchey and Ms. Colette Devou.

Representative Pine, on behalf of Representative Cabanilla, introduced two "Leader for a Day" shadows, Ms. Asia Verdida and Ms. Princess Mae Visconde, accompanied by the Campbell High Basketball Team.

Representative Ito, on behalf of Representative Magaoay, introduced "Leader for a Day" shadow, Mr. Thomas Fale attending Kahuku High School.

Representative Karamatsu introduced "Leader for a Day" shadow, Ms. Ashley Yonemura attending Waipahu Intermediate School.

Representative Waters introduced two "Leader for a Day" shadows, Ms. Taylor Harper and Mr. Nolan Suzuki attending Kailua Intermediate School, accompanied by Ms. Chelsea Tanimura.

Representative Luke requested that the following names of "Leader for a Day" Essay Winners be inserted in the Journal and the Chair "so ordered."

Asia Verdida attending Ewa Beach Elementary, shadow for Representative Cabanilla.

Kaitlin Silirie attending Kailua Intermediate School, shadow for Representative Bertram.

Emma Drake attending Kailua Intermediate School, shadow for Representative Hanohano.

Colin McCreary attending Kailua Intermediate School, shadow for Representative Ward.

Taylor Harper attending Kailua Intermediate School, shadow for Representative Waters.

Lauren Barina attending Kailua Intermediate School, shadow for Representative Saiki.

Shereen Peahi attending Kailua Intermediate School, shadow for Representative Rhoads.

Kamaka Lewis attending Ke Kula 'O Nawahiokalani'opu'u, shadow for Representative Chang.

Makamae Namahoe attending Ke Kula 'O Nawahiokalani'opu'u, shadow for Representative Tsuji.

Elizabeth Chang attending Kealakehe High School, shadow for Representative Evans.

Princess Mae Visconde attending Keoneula Elementary, shadow for Representative Pine.

Eugene Au attending Manoa Elementary School, shadow for Representative Caldwell.

Catherine Guerero attending Manoa Elementary School, shadow for Representative Ching.

Elisa McDade attending Manoa Elementary School, shadow for Representative Mizuno.

Owen Daniel attending Manoa Elementary School, shadow for Representative Caldwell.

Annie McDonald attending Moanalua Middle School, shadow for Representative Finnegan.

Pedro Doctolero attending Olomana School, shadow for Representative Morita.

Samuel White attending Olomana School, shadow for Representative Chong.

Randi Sale attending Olomana School, shadow for Representative Chong.

Natalie Harris attending Olomana School, shadow for Representative Berg.

Malia Maluyo attending Waialua High School, shadow for Representative Green.

Leia Lendio attending Waialua School, shadow for Representative Wakai.

Frank Kelly attending Waialua School, shadow for Representative Magaoay.

Ashley Yonemura attending Waipahu Intermediate School, shadow for Representative Karamatsu.

Shaunnaey McCracken attending Waipahu Intermediate School, shadow for Representative Sonson.

Chanel Vautour attending Washington Middle School, shadow for Representative Awana.

Stephanie Hudgins attending Kailua Intermediate School, shadow for Representative Belatti.

Nolan Suzuki attending Kailua Intermediate School, shadow for Representative Waters.

Thomas Fale attending Kahuku High School, shadow for Representative Magaoay.

Andrea Kokkonen attending Kahuku High School, shadow for Representative Luke.

Emma Morris attending Aikahi Elementary School, shadow for Representative B. Oshiro.

Maile Romano attending Aikahi Elementary School, shadow for Representative Finnegan.

Matthew Saiki attending Aikahi Elementary School, shadow for Representative Green.

Representative Luke introduced her friend, Mr. Joshua Cooper.

Representative Ward introduced "Leader for a Day" shadow, Mr. Colin McCreary attending Kailua Intermediate School

Representative Mizuno introduced from the Philippines, Ms. Trizia Mesa; Ms. Jocelyn Mesa; Ms. Abby Grace Reyes; Ms. Irena Reyes; Mr. Jhon Paul Simson; Ms. Sharon Victorino, accompanied by Ms. Jae TerMeer, RN, CHTP, Program Director, and Ms. Elissa Lindsey, Program Coordinator, of World Healing Institute in Hawaii; and his legislative staff, Ms. Leolani Oyama.

Representative Awana introduced from the St. Francis Healthcare System, Sister William Marie Eleniki, President; Ms. Pamela Witty-Oakland, Chief Administrator; Mr. Jacob Silva, Registered Nurse, Program Director; Ms. Margaret Kamahele, Registered Nurse, retired; Mr. Glen Hayashida; Ms. Ann Kawahara; Ms. Ally Park; and Ms. Michelle Cox.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
163	Committee on Public Safety & Military Affairs
164	Committee on Transportation, then to the Committee on Education, then to the Committee on Finance
165	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Legislative Management
166	Committee on Transportation, then to the Committee on Education, then to the Committee on Finance
167	Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
168	Committee on Tourism & Culture, then to the Committee on Finance
169	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
170	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns
172	Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
173	Committee on Human Services & Housing, then to the Committee on Higher Education
174	Committee on Finance
175	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management
176	Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection
177	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
178	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance
179	Committee on Tourism & Culture
180	Committee on Tourism & Culture
181	Committee on Tourism & Culture
182	Committee on Human Services & Housing
183	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
184	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation
185	Committee on Higher Education, then to the Committee on Finance
186	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
187	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
188	Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance
189	Committee on Education
190	Committee on Transportation, then to the Committee on Finance

191 Committee on Transportation, then to the Committee on Finance

192 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

193 Committee on Health, then to the Committee on Higher Education

194 Committee on Energy & Environmental Protection

195 Committee on Public Safety & Military Affairs, then to the Committee on Finance

196 Committee on Transportation, then to the Committee on Finance

197 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

198 Committee on Energy & Environmental Protection, then to the Committee on Finance

199 Committee on Health, then to the Committee on Judiciary

200 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

201 Jointly to the Committee on Human Services & Housing and the Committee on Labor & Public Employment, then to the Committee on Finance

202 Committee on Health, then to the Committee on Legislative Management

203 Committee on Health

204 Committee on Tourism & Culture, then to the Committee on Finance

H.C.R. Nos. **Referred to:**

194 Committee on Public Safety & Military Affairs

195 Committee on Transportation, then to the Committee on Education, then to the Committee on Finance

196 Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Legislative Management

197 Committee on Transportation, then to the Committee on Education, then to the Committee on Finance

198 Committee on Human Services & Housing, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management

199 Committee on Tourism & Culture, then to the Committee on Finance

200 Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

201 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

202 Committee on Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

203 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management

204 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

205 Committee on Human Services & Housing, then to the Committee on Higher Education

206 Committee on Finance

207 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management

208 Jointly to the Committee on Agriculture and the Committee on Energy & Environmental Protection

209 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance

210 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

211 Committee on Tourism & Culture

212 Committee on Tourism & Culture

213 Committee on Tourism & Culture

214 Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management

215 Committee on Human Services & Housing

216 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

217 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Transportation

218 Committee on Higher Education, then to the Committee on Finance

219 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

220 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

221 Jointly to the Committee on Education and the Committee on Energy & Environmental Protection, then to the Committee on Finance

222 Committee on Education

223 Committee on Transportation, then to the Committee on Finance

224 Committee on Transportation, then to the Committee on Finance

225 Jointly to the Committee on Health and the Committee on Education, then to the Committee on Finance

226 Committee on Health, then to the Committee on Higher Education

227 Committee on Energy & Environmental Protection

228 Committee on Public Safety & Military Affairs, then to the Committee on Finance

229 Committee on Energy & Environmental Protection, then to the Committee on Finance

230 Committee on Labor & Public Employment

231 Committee on Judiciary, then to the Committee on Legislative Management

232 Committee on Energy & Environmental Protection, then to the Committee on Finance

233 Committee on Transportation, then to the Committee on Finance

234 Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

235 Committee on Energy & Environmental Protection, then to the Committee on Finance

236 Committee on Health, then to the Committee on Judiciary

237 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

238 Jointly to the Committee on Human Services & Housing and the Committee on Labor & Public Employment, then to the Committee on Finance

239 Committee on Health, then to the Committee on Legislative Management

240 Committee on Health

241 Committee on Judiciary, then to the Committee on Legislative Management

242 Committee on Tourism & Culture, then to the Committee on Finance

S.C.R. Nos.	**Referred to:**
7, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing
26, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Human Services & Housing
44, SD1	Committee on Tourism & Culture

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
1789, SD2	Committee on Finance
3019, SD1	Committee on Judiciary, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 310) was announced by the Clerk and the following action taken:

H.R. No. 310, entitled: "HOUSE RESOLUTION CONGRATULATING CHAMINADE UNIVERSITY ON THE 2007 PRESIDENTIAL AWARD FOR EXEMPLARY COMMUNITY SERVICE, RECOGNIZING SERVICE TO YOUTH FROM DISADVANTAGED CIRCUMSTANCES," was offered by Representative Berg.

Representative Berg moved that H.R. No. 310 be adopted, seconded by Representative Chang.

Representative Berg congratulated Chaminade University on winning the President's Higher Education Community Service Honor Roll and introduced the following honorees representing the University seated on the floor of the House:

Dr. Sue Wesselkamper, President
Ms. Candice Sakuda, Director of Service Learning
Ms. Atina Pascua, Director of Hawaii Pacific Islands Campus Compact

Representative Chang further recognized the services of Chaminade University.

The motion was put to vote by the Chair and carried, and H.R. No. 310 was adopted with Representatives Brower, Cabanilla, Magaoay, Morita, Nakasone, M. Oshiro, Shimabukuro, Souki, Thielen, Yamane and Yamashita being excused.

The following resolution (H.R. No. 311) was announced by the Clerk and the following action taken:

H.R. No. 311, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING JAMES CAMPBELL HIGH SCHOOL FOR ITS ACCOMPLISHMENTS," was jointly offered by Representatives Pine, Awana, Ching, Hanohano, Luke, Manahan, Meyer, Mizuno, Rhoads, Shimabukuro, Takai, Thielen, Berg, Bertram, Brower, Finnegan, Green, Marumoto, Say, Tokioka, Tsuji and Wakai.

Representative Pine moved that H.R. No. 311 be adopted, seconded by Representative Meyer.

Representative Pine recognized the accomplishments of James Campbell High School and introduced the following honorees seated on the floor of the House:

Ms. Julie Do, English Teacher with the International Baccalaureate Diploma Program, and Chair of the International Studies Program;
Ms. Marites Barangan, Milken Family Foundation Teacher of Promise award winner;
Mr. Nathan Macadangdang, Division II State Championship Varsity Girls Basketball Team Coach;
Ms. Amber Kaulia, Varsity Girls Basketball Team Captain; and
Commander John Hutchison, Navy Junior Reserve Officers' Training Corps.

Representative Pine then recognized the following seated in the gallery:

First Place Winners of the "Tell Me a Story" category in the 2008 Island Movie Contest: Mr. Sherwin Acidera, Ms. Erin Gamil, and Ms. Evelyn Obamos; and

Members of the Varsity Girls Basketball Team.

Representative Marumoto further recognized the accomplishments of James Campbell High School and their honors programs.

The motion was put to vote by the Chair and carried, and H.R. No. 311 was adopted with Representatives Brower, Cabanilla, Magaoay, Manahan, Morita, Nakasone, Sagum, Souki, Thielen, Tokioka, Yamane and Yamashita being excused.

At 12:41 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1065-08) recommending that S.B. No. 3061, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3061, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1066-08) recommending that S.B. No. 2818, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2818, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1067-08) recommending that S.B. No. 2715, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2715, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1068-08) recommending that S.B. No. 2841, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2841, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'm registering a no vote on SB 2841. This is a bill that would require retail dealers with more than 75,000 square feet of retail space to operate redemption centers. I think that we had a lot of problems in the beginning with the redemption centers, but I think now the recycling centers are like small business and they are doing pretty well. This I think will create costs going up in these large stores, and I don't think it's necessary. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I am voting with reservations on this particular measure. The large stores, any store, do not want the extra hassle of the redemption center, of having bottles around that attract cockroaches and other pests. I'm voting for this measure, but I suggest that since we pay a tax on this and money goes to the State, and the State has maybe $34 million in the Fund now, that the State provide the stores with some resources so they are able to deal with the problem of the bottles. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose 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.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2841, entitled: "A BILL FOR AN ACT RELATING TO THE DEPOSIT BEVERAGE CONTAINER PROGRAM," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representative Meyer voting no, and with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1069-08) recommending that S.B. No. 2273, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2273, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1070-08) recommending that S.B. No. 2831, SD 1, pass Second Reading and be referred jointly to the Committee on Health and the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2831, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," passed Second Reading and was referred jointly to the Committee on Health and the Committee on Human Services & Housing with Representatives

Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1071-08) recommending that S.B. No. 2480, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Human Services & Housing.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2480, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Human Services & Housing with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1072-08) recommending that S.B. No. 2314, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2314, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I am rising with reservations on Stand. Com. No. 1072. This is the measure that would allow insurers to bundle several different services and products together. I've been getting a lot of feedback from people in my community. They are just really concerned that this bill would force a consumer to purchase one product as a prerequisite to purchasing another. And they are really concerned to what this might lead to. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of the bill. Mr. Speaker, in the beginning it was the small guys helping the small business people and it morphed a bit. For the edification of the speaker that gave an excellent floor presentation today, it's now open to all insurers who can do the bundling which is essentially only for sole-proprietors and only for independent personal individuals. So it's kind of an open season, but it was really meant to have one particular insurer who has only five percent of the insurance business, versus the others who have 65 and 70 percent. So I think it's going to help the small guys still. But it's like an open competition."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2314, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Judiciary with Representative McKelvey voting no, and with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1073-08) recommending that S.B. No. 2845, SD 2, pass Second Reading and 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 S.B. No. 2845, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1074-08) recommending that S.B. No. 2932, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 2932, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL RESPONSE TAX," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1075-08), recommending that H.R. No. 101, 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. 101, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was referred to the Committee on Finance with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1076-08), recommending that H.C.R. No. 119, 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. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was referred to the Committee on Finance with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1077-08), recommending that H.R. No. 43, 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.R. No. 43, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII AT MANOA'S ATHLETIC DEPARTMENT," was referred to the Committee on Legislative Management with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1078-08), recommending that H.C.R. No. 43, 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. 43, HD 1, entitled: "HOUSE

CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII AT MANOA'S ATHLETIC DEPARTMENT," was referred to the Committee on Legislative Management with Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen being excused.

ANNOUNCEMENT

Representative Berg: "Thank you, Mr. Speaker. You've heard from me enough today, I know, but there's one more announcement and it's regarding our Human Rights Day exhibits upstairs. The organizations will be there until 2 p.m. and after which time, in Room 329 there will be a social forum, a conversation with those participants, as well as Jonathan Kathrein and Josh Cooper. Thank you very much."

ADJOURNMENT

At 12:56 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 14, 2008. (Representatives Cabanilla, Evans, Magaoay, Morita, Nakasone, Sagum, Sonson, Souki and Thielen were excused.)

THIRTY-SECOND DAY

Friday, March 14, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:11 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Ryan Kalei Tsuji, Manager of the UH Rainbow Wahine Volleyball Team and son of Representative Clift Tsuji, after which the Roll was called showing all members present with the exception of Representatives Awana, Magaoay, Meyer, Nakasone and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-First Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 275 and 276) were received and announced by the Clerk:

Gov. Msg. No. 275, dated February 29, 2008, transmitting the Hawaii State Public Library System's report on their maintenance and energy efficiency projects for the Fiscal Biennium 2007-2009.

Gov. Msg. No. 276, dated February 7, 2008, transmitting the Hawaii Ocean Resources Management Plan 2007 Annual Report.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 68) was received by the Clerk and was placed on file:

Dept. Com. No. 68, dated March 13, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Sunset Evaluation: Mental Health Counselors.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative McKelvey introduced Ms. Rita Bareros and Ms. Ann Tristad from Maui, advocates for the elderly.

Representative McKelvey also introduced Ms. Adele Rudd with the American Cancer Society on Maui.

Representative Evans introduced Ms. Kelly Wakayama and Ms. Harriet Yamasaki from Waikoloa and Waimea with the American Cancer Society.

Representative Green introduced and recognized the volunteers with the American Cancer Society, including Board Member, Representative Lee.

Representative Luke introduced Ms. Peggy Chun of Nuuanu, watercolor artist and illustrator of many books including The Watercolor Cat.

Representative Luke also introduced Magdalena Hawajska, fine art restorer from Krakow, Poland who worked with Ms. Peggy Chun on a mosaic of Father Damien at the Holy Trinity School. She was accompanied by Ms. Shelly Mecum of the Holy Trinity School.

Representative Ward recognized Ms. Peggy Chun and Ms. Shelly Mecum for their work at Holy Trinity School, and introduced Sister Rose, the Principal of Holy Trinity School.

Representative Tokioka introduced Ms. Janice Bond, Democratic Party Precinct Chair on Kauai.

Representative Chang introduced his son, Mr. Jensen Chang, and grandson, Seth Chang.

Representative Marumoto introduced 5th grade students from Wilson Elementary School, and their teacher, Ms. Sarah Sugimoto; and parents Ms. Kathy Ikeda and Ms. Kathy Higa.

Representative Ward introduced Ms. Lorraine Shin of Hilo with the U.S. Department of Agriculture.

Representative Caldwell introduced Representative Luke's son, Master Logan Luke of Iolani School.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following resolutions and concurrent resolutions were referred to committee by the Speaker:

H.R. Nos.	Referred to:
205	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary
206	Committee on Consumer Protection & Commerce
207	Committee on Tourism & Culture
208	Committee on Economic Development & Business Concerns
209	Committee on Public Safety & Military Affairs, then to the Committee on Finance
210	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
211	Committee on Health
212	Jointly to the Committee on Health and the Committee on Human Services & Housing
213	Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance
214	Jointly to the Committee on Economic Development & Business Concerns and the Committee on Labor & Public Employment, then to the Committee on Finance
215	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment
216	Committee on Public Safety & Military Affairs
217	Committee on Consumer Protection & Commerce
218	Committee on Education, then to the Committee on Finance
219	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

220 Committee on Education, then to the Committee on Finance

221 Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

222 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

223 Committee on Energy & Environmental Protection, then to the Committee on Higher Education

224 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

225 Committee on Education, then to the Committee on Finance

226 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

227 Committee on Judiciary, then to the Committee on Legislative Management

228 Committee on Education, then to the Committee on Finance

229 Committee on Higher Education, then to the Committee on Energy & Environmental Protection

230 Committee on Energy & Environmental Protection

231 Committee on Tourism & Culture

232 Committee on Higher Education

233 Committee on Health, then to the Committee on Finance

234 Committee on Higher Education

235 Committee on Higher Education, then to the Committee on Health

236 Committee on Human Services & Housing, then to the Committee on Judiciary

237 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

238 Committee on Health, then to the Committee on Judiciary

239 Committee on Judiciary

240 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

241 Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

242 Committee on Education, then to the Committee on Finance

243 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

244 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

245 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

246 Committee on Higher Education, then to the Committee on Finance

247 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

248 Committee on Agriculture, then to the Committee on Higher Education

249 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

250 Committee on Transportation

251 Committee on Health, then to the Committee on Judiciary

252 Committee on Transportation, then to the Committee on Finance

253 Committee on Economic Development & Business Concerns

254 Committee on Consumer Protection & Commerce

255 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary

256 Committee on Higher Education

257 Committee on Consumer Protection & Commerce

258 Committee on Energy & Environmental Protection

259 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

260 Committee on Higher Education, then to the Committee on Economic Development & Business Concerns

261 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

262 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

263 Committee on Tourism & Culture, then to the Committee on Finance

264 Committee on Tourism & Culture, then to the Committee on Finance

265 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

266 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

267 Committee on Education, then to the Committee on Health, then to the Committee on Legislative Management

268 Committee on Education, then to the Committee on Finance

269 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education

270 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

271 Committee on Education, then to the Committee on Finance

272 Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

273 Committee on Health, then to the Committee on Education

274 Committee on Education

275 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

276 Committee on Education, then to the Committee on Finance

277 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

278 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

279 Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance

280 Committee on Finance

281 Committee on Education, then to the Committee on Finance

282 Committee on Education

283 Committee on Education

284 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

285 Committee on Education

286 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

287 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

288 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

289 Committee on Finance

290 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

291 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health

292 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

293 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

294 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Higher Education

295 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

296 Committee on Judiciary, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

297 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

298 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

299 Committee on Energy & Environmental Protection, then to the Committee on Finance

300 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

301 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

302 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

303 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

304 Committee on Consumer Protection & Commerce, then to the Committee on Finance

305 Committee on Judiciary

306 Committee on Tourism & Culture, then to the Committee on Finance

307 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

308 Committee on Judiciary, then to the Committee on Finance

309 Committee on Health

H.C.R. Nos.	**Referred to:**
243	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
244	Committee on Consumer Protection & Commerce
245	Committee on Tourism & Culture

246 Committee on Economic Development & Business Concerns

247 Committee on Public Safety & Military Affairs, then to the Committee on Finance

248 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

249 Committee on Health

250 Jointly to the Committee on Health and the Committee on Human Services & Housing

251 Jointly to the Committee on Transportation and the Committee on Legislative Management

252 Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

253 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

254 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment

255 Committee on Public Safety & Military Affairs

256 Committee on Consumer Protection & Commerce

257 Committee on Education, then to the Committee on Finance

258 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

259 Committee on Education, then to the Committee on Finance

260 Jointly to the Committee on Agriculture and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

261 Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Legislative Management

262 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

263 Committee on Energy & Environmental Protection, then to the Committee on Higher Education

264 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management

265 Committee on Education, then to the Committee on Finance

266 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education, then to the Committee on Finance

267 Committee on Judiciary, then to the Committee on Legislative Management

268 Committee on Education, then to the Committee on Finance

269 Jointly to the Committee on Transportation and the Committee on Public Safety & Military Affairs, then to the Committee on Finance

270 Committee on Higher Education, then to the Committee on Energy & Environmental Protection

271 Committee on Energy & Environmental Protection

272 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

273 Committee on Tourism & Culture

274 Committee on Higher Education

275 Committee on Health, then to the Committee on Finance

276 Committee on Higher Education

277 Committee on Higher Education, then to the Committee on Health

278 Committee on Tourism & Culture

279 Committee on Legislative Management

280 Committee on Legislative Management

281 Committee on Human Services & Housing, then to the Committee on Judiciary

282 Committee on Tourism & Culture, then to the Committee on Transportation

283 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

284 Committee on Health, then to the Committee on Judiciary

285 Committee on Judiciary

286 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

287 Jointly to the Committee on Energy & Environmental Protection and the Committee on Education, then to the Committee on Finance

288 Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Legislative Management

289 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

290 Committee on Education, then to the Committee on Finance

291 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

292 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

293 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

294 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs

295 Committee on Higher Education, then to the Committee on Finance

296 Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management

297 Committee on Judiciary

298 Committee on Agriculture, then to the Committee on Higher Education

299 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

300 Committee on Transportation

301 Committee on Health, then to the Committee on Judiciary

302 Committee on Transportation, then to the Committee on Finance

303 Committee on Economic Development & Business Concerns

304 Committee on Consumer Protection & Commerce

305 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Transportation, then to the Committee on Finance

306 Committee on Transportation, then to the Committee on Finance

307 Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary

308 Committee on Higher Education

309 Committee on Consumer Protection & Commerce

310 Committee on Energy & Environmental Protection

311 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

312 Committee on Higher Education, then to the Committee on Economic Development & Business Concerns

313 Committee on Higher Education, then to the Committee on Legislative Management

314 Committee on Higher Education, then to the Committee on Finance

315 Committee on Higher Education, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

316 Jointly to the Committee on Health and the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary

317 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

318 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Legislative Management

319 Committee on Tourism & Culture, then to the Committee on Finance

320 Committee on Tourism & Culture, then to the Committee on Finance

321 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

322 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

323 Committee on Education, then to the Committee on Health, then to the Committee on Legislative Management

324 Committee on Education, then to the Committee on Finance

325 Committee on Public Safety & Military Affairs, then to the Committee on Higher Education

326 Committee on Agriculture, then to the Committee on Economic Development & Business Concerns

327 Committee on Higher Education

328 Committee on Higher Education, then to the Committee on Public Safety & Military Affairs

329 Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

330 Committee on Education, then to the Committee on Finance

331 Committee on Higher Education, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance

332 Committee on Health, then to the Committee on Education

333 Committee on Education

334 Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce

335 Committee on Education, then to the Committee on Finance

336 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary

337 Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce

338 Jointly to the Committee on Transportation and the Committee on Labor & Public Employment, then to the Committee on Finance

339 Committee on Finance

340 Committee on Education, then to the Committee on Finance

341 Committee on Education

342 Committee on Education

343 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

344 Committee on Education

345 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

346 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

347 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

348 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

349 Committee on Judiciary, then to the Committee on Legislative Management

350 Committee on Judiciary

351 Committee on Finance

352 Committee on Energy & Environmental Protection, then to the Committee on Transportation, then to the Committee on Finance

353 Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns

354 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health

355 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

356 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Finance

357 Jointly to the Committee on Economic Development & Business Concerns and the Committee on Agriculture, then to the Committee on Higher Education

358 Committee on Economic Development & Business Concerns, then to the Committee on Finance

359 Committee on Water, Land, Ocean Resources & Hawaiian Affairs

360 Committee on Judiciary, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

361 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Transportation, then to the Committee on Finance

362 Jointly to the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce, then to the Committee on Finance

363 Committee on Energy & Environmental Protection, then to the Committee on Finance

364 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection

365 Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

366 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

367 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

368 Committee on Consumer Protection & Commerce, then to the Committee on Finance

369 Committee on Judiciary

370 Committee on Tourism & Culture, then to the Committee on Finance

371 Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance

372 Committee on Judiciary, then to the Committee on Finance

373 Committee on Health

COMMITTEE REASSIGNMENTS

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	**Re-referred to:**
106	Committee on Labor & Public Employment, then to the Committee on Higher Education

H.C.R. No.	**Re-referred to:**
124	Committee on Labor & Public Employment, then to the Committee on Higher Education

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	**Re-referred to:**
409, SD2	Committee on Health, then to the Committee on Finance
1805, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
2493	Committee on Labor & Public Employment, then to the Committee on Finance
2879, SD2	Committee on Judiciary, then to the Committee on Finance
3168, SD2	Jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance

3200, SD1	Committee on Judiciary
3255, SD2, HD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 312) was announced by the Clerk and the following action taken:

H.R. No. 312, entitled: "HOUSE RESOLUTION CONGRATULATING B.J. PENN THE CURRENT LIGHTWEIGHT ULTIMATE FIGHTING CHAMPION ON HIS SUCCESSFUL MARTIAL ARTS CAREER," was offered by Representative Chang.

Representative Chang moved that H.R. No. 312 be adopted, seconded by Representative Yamane.

Representative Chang congratulated and introduced the honoree, UFC Lightweight Champion, Mr. BJ Penn who was seated on the floor of the House.

Representative Tsuji then introduced Mr. Jay Dee Penn, BJ Penn's brother and manager who was also seated on the floor.

Representative Chang also introduced family members seated in the gallery:

Parents, Mr. J.D. Penn and Ms. Lorraine Shin;
Sister-in-law, Ms. Jody Penn;
Brother, Mr. Reagan Penn; and
Photographers, Mr. Hoyt Uyehara and Ms. Tracy Lee.

Representative Meyer further recognized Mr. Penn and the sport of Mixed Martial Arts.

Representative Yamane also recognized Mr. Penn for his mastery of Brazilian Jiu-Jitsu and in the Octagon.

The motion was put to vote by the Chair and carried, and H.R. No. 312 was adopted with Representatives Awana, Bertram, Magaoay, Nakasone and Thielen being excused.

The following resolution (H.R. No. 313) was announced by the Clerk and the following action taken:

H.R. No. 313, entitled: "HOUSE RESOLUTION COMMENDS AND CONGRATULATES THE AMERICAN CANCER SOCIETY HAWAII PACIFIC, INC., ON ITS 60 YEARS OF DILIGENT AND DEDICATED SERVICE TOWARDS THE GOAL OF NO MORE CANCER IN HAWAII THROUGH RISK REDUCTION, EDUCATION, RESEARCH, AND ADVOCACY," was jointly offered by Representatives Brower, Lee and Mizuno.

Representative Brower moved that H.R. No. 313 be adopted, seconded by Representative Mizuno.

Representative Brower recognized the work of the American Cancer Society Hawaii Pacific, Inc., and congratulated and thanked them for 60 years of prevention and support programs for the people of Hawaii.

Representative Mizuno then introduced the honorees who were seated on the floor of the House:

Ms. Beverly Wong, District 1 Lead Volunteer;
Ms. Bernie Sakoda, District 2 Lead Volunteer;
Mr. Chris Pablo, Immediate Past Chair;
Ms. Jackie Young, Chief Staff Officer and former Vice Speaker of the House of Representatives;
Ms. Jackie Earle, Chair of the Board; and
Ms. Virginia Pressler, President of the Board.

Representative Herkes recognized the American Cancer Society for their work in prevention education and encouraged everyone to get screened.

Representative Evans also recognized the work of the American Cancer Society and their Relay for Life events.

The motion was put to vote by the Chair and carried, and H.R. No. 313 was adopted with Representatives Awana, Luke, Magaoay, Nakasone, Sagum and Thielen being excused.

At 12:49 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1079-08) recommending that S.B. No. 3030, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1080-08) recommending that S.B. No. 3083, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3083, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, on Stand. Com. Rep. 1080. I'm speaking in support with some concerns because of something that I heard today about the PACE program at Maluhia which comes under HHSC. It's the first one in the nation to close. And this is a real concern because this is a program that takes people out of the hospital, provides day care and medical care, and supports family caregivers. And with the number of family caregivers we had here at the State Capitol today, I think we ought to really look at this closely."

Representative Ching rose to speak in support of the measure, stating:

"Thank you. I am in strong support and would like the words of the Representative of Mililani as my own."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1080, I would like a ruling on a potential conflict of interest. At my law firm, I represent HHSC. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3083, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1081-08) recommending that S.B. No. 3031, SD 1, pass Second Reading and 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 S.B. No. 3031, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1082-08) recommending that S.B. No. 2064, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2064, SD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1082, I just wanted to vote with reservations. It's not that I don’t think psychologists deserve a jury service exemption any less than any of the other groups that have it now. I just don't think anybody should have a jury service exemption. Mahalo."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representative Rhoads be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose in support of the measure with reservations, and asked that the remarks of Representative Rhoads be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Brower rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with reservations. Perhaps psychologists would be the best to serve on a jury. Thank you."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"In opposition for the same reason. Mr. Speaker, I think we all have the obligation to participate in the process. So any bill of this nature that requires an exemption I think, is a move in the opposite direction. We are all needed. We're all important and we all should serve our people the best way we can. With something like jury duty, we need the expertise of all, such as psychologists. Thank you."

Representative Green rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I recognize the very sound judgment on all the comments that were just made. Just to give people the rationale so they can make up their final decisions later. The rationale for exempting psychologists was the continuity of care issues so that a psychologist sometimes will be seeing someone with severe mental illness in coordination with a psychiatrist or on their own. If they do end up getting sequestered for extended periods of time, they could be away from their patient base. As we know, people with mental health disorders are very uncomfortable going and seeing a new provider suddenly in the middle of treatment. And so that's the rationale. But I don't begrudge people in opposition. I do think we need everyone on jury duty when possible."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2064, SD 1, entitled: "A BILL FOR AN ACT RELATING TO JURY SERVICE," passed Second Reading and was referred to the Committee on Judiciary with Representative Cabanilla voting no, and with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1083-08) recommending that S.B. No. 3021, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3021, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO VIATICAL SETTLEMENTS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1084-08) recommending that S.B. No. 2150, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2150, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1085-08) recommending that S.B. No. 1343, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1343, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1086-08) recommending that S.B. No. 2977, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2977, SD 1, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1087-08) recommending that S.B. No. 2196, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2196, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1088-08) recommending that S.B. No. 2482, SD 2, pass Second Reading and 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 S.B. No. 2482, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIʻI INSTITUTE OF MARINE BIOLOGY," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1089-08) recommending that S.B. No. 2423, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2423, SD 2, HD 1, pass Second Reading and be referred to the Committee on Tourism & Culture, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with some reservations on Stand. Com. Rep. No. 1089. The bill still has eminent domain in it, which I would not want to see happen. Thank you."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1089, I would like a ruling on a potential conflict of interest. At my law firm I represent the community groups suing Turtle Bay. Thank you," and the Chair ruled, "no conflict."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker on Stand. Com. Report 1089, may I just stand in strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1090-08) recommending that S.B. No. 2004, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2004, SD 2, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2004, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1091-08) recommending that S.B. No. 2790, SD 2, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2790, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1092-08) recommending that S.B. No. 3255, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 3255, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Second Reading and was referred to the Committee on Higher Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1093-08) recommending that S.B. No. 2151, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2151, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Cabanilla rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2151, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1094-08) recommending that S.B. No. 2047, SD 3, pass Second Reading and 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 S.B. No. 2047, SD 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1095-08) recommending that S.B. No. 2542, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2542, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1096-08) recommending that S.B. No. 1805, SD 1, pass Second Reading and 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 S.B. No. 1805, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1097-08) recommending that S.B. No. 2864, SD 2, pass Second Reading and 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 S.B. No. 2864, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1098-08) recommending that S.B. No. 3080, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3080, SD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1099-08) recommending that S.B. No. 3228, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," passed Second Reading and was referred to the Committee on Labor & Public Employment with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1100-08) recommending that S.B. No. 2373, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2373, SD 1, HD 1, pass Second Reading and be referred to the Committee on Public Safety & Military Affairs, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to register a no vote on Stand. Com. Rep. No. 1100-08 and I'll reserve my comments for Third Reading. Thank you."

Representative Bertram rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2373, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," passed Second Reading and was referred to the Committee on Public Safety & Military Affairs with Representatives Belatti and Bertram voting no, and with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1101-08) recommending that S.B. No. 3016, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3016, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1102-08) recommending that S.B. No. 2530, SD 2, pass Second Reading and 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 S.B. No. 2530, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1103-08) recommending that S.B. No. 2824, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2824, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Legislative

Management with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1104-08) recommending that S.B. No. 3165, SD 2, pass Second Reading and be referred jointly to the Committee on Human Services & Housing and the Committee on Health.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3165, SD 2, pass Second Reading and be referred jointly to the Committee on Human Services & Housing and the Committee on Health, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I just want to register an aye vote with reservations on Stand. Com. Rep. No. 1104. I think this a little premature, but of course, it's still early too."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3165, SD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred jointly to the Committee on Human Services & Housing and the Committee on Health with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1105-08) recommending that S.B. No. 2501, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and 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 S.B. No. 2501, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1106-08) recommending that S.B. No. 3234, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3234, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1107-08) recommending that S.B. No. 2055, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2055, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1108-08) recommending that S.B. No. 2218, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2218, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1109-08) recommending that S.B. No. 3051, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3051, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1110-08) recommending that S.B. No. 2214, SD 2, pass Second Reading and 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 S.B. No. 2214, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1111-08) recommending that S.B. No. 2333, SD 2, pass Second Reading and 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 S.B. No. 2333, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1112-08) recommending that S.B. No. 2668, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2668, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2668, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF

HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1113-08) recommending that S.B. No. 2782, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2782, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1114-08) recommending that S.B. No. 2783, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2783, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure with reservations, stating:

"Yes, I'm just standing with reservations on Stand. Com. Rep. No. 1114-08 which relates to loss mitigation for earthquakes. I'm just a little concerned because it does take money out of the Hurricane Relief Fund and it is not for hurricanes.

"I was very concerned for many years that this body took money out of the Highway Fund for things that did not relate to highways and now, we are currently in a problem where we have very little money to build any highways at all. We already decided in previous Legislatures to give the interest to the general fund from the Hurricane Relief Fund, and currently that'll be $6 million. So it makes more sense to take money from the $6 million that we're giving to the general fund instead of the principle of the Hurricane Relief Fund."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2783, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1115-08) recommending that S.B. No. 2958, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2958, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENHANCED 911 SERVICES FOR MOBILE PHONES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1116-08) recommending that S.B. No. 2774, SD 2, pass Second Reading and be referred jointly to the Committee on Higher Education and the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred jointly to the Committee on Higher Education and the Committee on Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1117-08) recommending that S.B. No. 2571, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2571, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Second Reading and was referred to the Committee on Education with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1118-08) recommending that S.B. No. 3082, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Tourism & Culture and the Committee on Transportation.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3082, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUISE SHIPS," passed Second Reading and was referred jointly to the Committee on Tourism & Culture and the Committee on Transportation with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1119-08) recommending that S.B. No. 2991, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2991, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1120-08) recommending that S.B. No. 2843, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2843, SD 2, HD 1, pass Second Reading and be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. For Stand. Com. No. 1120, this is recycling electronic devices. I'll just save my comments for Third Reading, but I will vote with reservations please."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2843, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1121-08) recommending that S.B. No. 2341, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2341, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Judiciary with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1122-08) recommending that S.B. No. 2189, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2189, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKUA," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1123-08) recommending that S.B. No. 3001, SD 2, pass Second Reading and 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 S.B. No. 3001, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Shimabukuro and Morita, for the Committee on Human Services & Housing and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1124-08) recommending that S.B. No. 644, SD 3, as amended in HD 1, pass Second Reading and 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 Committees was adopted and S.B. No. 644, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1125-08) recommending that S.B. No. 2830, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Awana, Magaoay, Nakasone, Sagum, Saiki and Thielen being excused.

At 1:08 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:34 o'clock p.m.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1126-08) recommending that S.B. No. 2160, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

Representative Caldwell moved that notwithstanding the recommendations contained in Standing Committee Report No. 1126-08, that S.B. No. 2160, SD 2, HD 1, be recommitted to the Committee on Health, seconded by Representative Luke.

At this time, Representative Finnegan requested a roll call vote on the motion to recommit.

The request for a roll call vote was put to vote by the Chair and upon a show of hands, failed to carry.

Representative Belatti rose to speak in opposition to the motion, stating:

"I stand to be recognized and speak in opposition to this motion to recommit. Thank you, Mr. Speaker.

"Mr. Speaker I stand in strong opposition to this motion to recommit. We're elected to do the work of the people. We're elected to take on the difficult issues and to find solutions. In the hearing on this bill a lawyer stood before us, a lawyer and a patient, and he talked about the need …"

The Chair addressed Representative Belatti, stating:

"Representative Belatti, you are out of order."

Representative Belatti: "Mr. Speaker, I am talking about the procedure regarding debate and …"

Speaker Say: "Yes, the procedure that is before us is the recommittal motion. Confine your remarks to the motion of the recommittal. Please proceed."

Representative Belatti: "This motion to recommit is a motion to stifle debate and consideration. Again I urge these Members in this Chamber not to squander this opportunity to find a solution to the problems of healthcare that are facing citizens and the people of this State.

"I know my call may not be heeded, but I want to register my vote of opposition to this motion to recommit. The call for change will echo far beyond these Chambers and the public may dare well respond to that call. I do not want it on my consciousness, on my record that I shirked my duty. So I stand in opposition to this motion to recommit, Mr. Speaker. Thank you."

Representative Finnegan rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. I strongly am heeding the advice of the previous speaker and would also like to vote no."

Representative Pine rose to speak in opposition to the motion, stating:

"Mr. Speaker I speak in opposition to the recommittal. Mr. Speaker, we've tried to kill this type of legislation over and over in the Legislature. I've never seen it really be put to vote by the entire House of Representatives on a Third Reading. It never made it out of the Judiciary Committee last year. I think the people of Hawaii have a right to see what their legislator feels about this issue.

"And so my feeling in opposition is that we continue to stifle conversation on this issue, and to me, stifling conversation stifles democracy and that is not good for the people of Hawaii."

Representative Meyer rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. In strong opposition to the motion to recommit. This is not a new bill. I mean, it's not a new idea. We've been working toward something like this for a lot of years. There's been a lot in the papers about the fact that many, many doctors are leaving."

The Chair addressed Representative Meyer, stating:

"Representative Meyer, could you confine your remarks to the motion to recommit; on the procedure and process of recommittal."

Representative Meyer continued, stating:

"Well I think it's a crime what we're doing here; to recommit this. It's as if we are deaf and dumb. We don't listen. We don't read the papers. We don't know what's going on.

"The good Chair of Health, he's a doctor. He's in tune with the problems there and for us to do this, we're doing a huge disservice to the people of Hawaii."

Representative Ward rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. I rise in opposition to this recommittal. Mr. Speaker, I don't think it's wise what we're doing, and those who are going to vote for it I think are probably going to regret it later. It sends the wrong message. We're in politics. Politics is perception. Perception is reality. The perception of recommitting is hiding. The perception of recommitting something is running away from it. The perception of recommitting is that we're really not committed to what we were supposed to be doing when it was alive and well, Mr. Speaker.

"What I'm saying is we're not doing the right thing, because if we're going to recommit it, that usually means it's going to die. If you say recommitment, it means we're going to come and recommit it to the Committee. I would like to see the Chair of one of the Committees that it is being recommitted to, to stand up and deny that. Otherwise I think it's going to hurt us.

"We're here to represent the people, not a special interest group. And recommitment means that we're siding with one group over the other. Thank you, Mr. Speaker."

Representative Ching rose to speak in opposition to the motion, stating:

"Thank you I also oppose the recommitment of this bill."

Representative Tokioka rose to speak in support of the motion, stating:

"Thank you, Mr. Chair. I stand in support of the recommittal, Mr. Speaker. This is the second time in this Session that I've heard the comment, 'deaf and dumb'. As a father of a son who is deaf, I would appreciate if the Members of this body do not use that term. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the motion, stating:

"Mr. Speaker, I am in opposition to recommitting this bill. It's bottling it up. It's not allowing any debate on the issue which is a very important one to this State. So I would argue very strongly that we allow an airing of this issue and a vote on this issue. I think it's very important. It deserves that much."

Representative Green rose to speak in opposition to the motion, stating:

"Thank you, Mr. Speaker. I stand in opposition, respectfully. I'd like to ask that the words of the Representative from Makiki be entered as my own. But I will only say this very briefly. You win some, you lose some. We will accomplish good things still this Session on healthcare reform, and I'm optimistic we'll all come together. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the motion, stating:

"In support. Mr. Speaker, I've been here 18 months and I can't think of an issue that's been more debated, more discussed in the halls of this building than medical malpractice changes, and I think recommittal makes perfect sense. There's been plenty of discussion on this. There's been plenty of discussion, lots of discussion, more discussion on this issue than any other that I can think of in my brief tenure here. Mahalo."

At this time, Representative Green called for the previous question, and by unanimous consent, the motion carried.

The motion was put to vote by the Chair and carried, and S.B. No. 2160, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was recommitted to the Committee on Health with Representatives Belatti, Ching, Finnegan, Green, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Thielen and Wakai being excused.

The Chair then announced:

"For the edification of this Chamber, the motion has been carried. This particular measure has been recommitted to the Committee on Health. Representative Caldwell, let's proceed on."

Representative Lee rose, stating:

"Mr. Speaker I don't believe that we had an opportunity to vote on the measure with Stand. Com. No. 1125."

The Chair responded, stating:

"We did have a voice vote."

Representative Lee: "Can I just make a brief comment?"

Speaker Say: "Not at this point. You'll probably have an opportunity after the Legislative Management Committee, if it survives."

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1127-08) recommending that S.B. No. 2292, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," passed Second Reading and was placed on the calendar for Third Reading with Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Thielen and Wakai being excused.

ANNOUNCEMENTS

Representative Ward: "Mr. Speaker, 35 years ago today, March 14, 1973 a man who served five and a half years as a prisoner of war was repatriated to our shores. If I mention his name, I may be ruled out of order, but I think we know who it is. He's running for President. Thank you, Mr. Speaker."

Representative Ching: "Mr. Speaker, this coming weekend represents the last weekend that a very talented group of dramatic players will be presenting *Aladdin Junior*. The Saint Louis High School players present *Aladdin Junior* and this is its last weekend. One of our esteemed Representative's son is in it, and that is the Representative from the North Shore. His son is in this."

Representative Sonson: "Mr. Speaker, I stand on a matter of personal privilege. Mr. Speaker, we deal with a lot of emotional issues in this particular Chamber. It saddens me that we all get carried away. A few minutes ago I lost my temper with another Member. I think that it was bad and I think that we should all be very patient in the work that we do here at the Legislature. Because the only thing that we have left when we say good bye to one another is our respect for ourselves, and the work that we've done and for colleagues. Thank you."

ADJOURNMENT

At 1:45 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 17, 2008. (Representatives Awana, Berg, Cabanilla, Chang, Magaoay, McKelvey, Nakasone, Sagum, Saiki, Takamine, Thielen and Wakai were excused.)

THIRTY-THIRD DAY

Monday, March 17, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:02 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Lautoa F. Atisano'e Vaa Sr. of London Missionary Society, First Samoan Congregational Church of Nanakuli, after which the Roll was called showing all members present with the exception of Representatives McKelvey and Nakasone, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Second Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Bertram introduced staff from Maui's public access cable station, Akaku: Ms. Sara Tekula, Education Director; and Mr. Matthew Robinson, instructor. They were accompanied by teen reporters, Ms. Erin McNulty, Ms. Kailani Amine, Mr. Aleks Biskis, Ms. Corrie Colagrass, Ms. Zowie Haugaard, Ms. Caherine Inman, Mr. Chris Morris, and Ms. Feona Rehfuss.

Representative Takamine, on behalf of the Big Island delegation, introduced student leadership advisors from the Island of Hawaii: from Hilo High School, Mr. Travis Ferreira and Mr. Nathan Morita; from Honokaa High School, Ms. Angela Brandt; and from Kalanianaole School, Ms. Mari Nakamura.

Representative Takai introduced members of the 29th Support Battalion: Captain Michael Caraang, Second Lt. Christine Mendoza, 1st Lt. Donna Wu, 1st Sgt Anthony Demello, and Specialist Barry Asberry.

Representative Berg introduced Ms. Danielle Gonzales, Deputy Director of State Policy for Pre-K Now, accompanied by her legislative aide, Mr. Curtis Johnson.

Representative Yamane introduced members of the National Association of Social Workers, and social work students from the Brigham Young University - Hawaii Campus, Hawaii Pacific University, and the University of Hawaii at Manoa.

Representative Yamane also recognized the following social worker awardees:

Ms. Gail Hironaka, Deputy Director of the Queen Liliuokalani Children's Center;

Ms. Marcia Tsue Horiuchi, Social Worker Practitioner of the Year and Clinical Director at Ku Aloha Ola Mau substance abuse treatment program.

Mr. Dominic Inocelda, Social Worker of the Year in Social Justice and Advocacy, and Program Director at Susanna Wesley Community Center; and

Ms. Liz Chun, Friend of the Social Worker award recipient, and Executive Director of the Good Beginnings Alliance.

Representative Yamane also recognized his friend, Mr. Kerry Moeai, a future social worker.

Representative Waters introduced his friend and constituent, Mr. Guy Nahale.

Representative Ward introduced Major General Robert G.F. Lee.

Representative Marumoto introduced former internees from the Honouliuli Internment Camp: Mr. Jack Tasaka; Mr. Chojiro Kageura and wife Mrs. Setsuko Kageura; and Harry Minoru Urata.

Representative Marumoto also introduced the members of the Japanese community accompanying the internees:

Japanese Cultural Center: Ms. Betsey Young; Mr. Donald Amano; Ms. Jane Kurahara; Mr. Lenny Andrew, President/Executive Director; Ms. Allicyn Tasaka, Chief Operating Officer; Mr. Brian Niiya, Resource Center Director; and Ms. Shayna Coleon, Membership/Public Relations Director.

Monsanto Hawaii, current leasors of the Honoluliuli site: Ms. Stacie Sasagawa;

Japanese American Citizens League: Ms. Yoshie Tanabe and Mr. James Tanabe; and

Other guests: Mr. Kelvin Young, Ms. Myra Fujii, Ms. Leilani Tan, Mr. Conrad Kurahara, and Dr. David Kurahara.

Representative Manahan introduced constituent and community activist, Ms. Tau Vee-Remmers. She was accompanied by the Representative's office manager, Ms. Vanessa Matautia and her neice, Lianne.

Representative Shimabukuro introduced Principals from the Waianae area:

Nelson Shigeta, Makaha Elementary;
Randall Miura, Leihoku Elementary;
John Wataoka, Waianae Elementary;
Disa Hauge, Maili Elementary; and
Glen Kila and Clarence De Lude, Kamaile Elementary.

Representative Awana introduced administrators from the Nanakuli area:

Elda Esmeralda, Nanaikapono Elementary;
Wendy Takahashi, Nanakuli Elementary;
Keith Hayashi, District Superintendent; and
Wendy Loo, Nanakuli Complex.

Representative Awana also introduced U.S. Congressman from American Samoa, Eni F.H. Faleomavaega.

Representative Chang introduced his friend, Mr. Eric Maehara and his daughter, Ms. Elizabeth Maehara of New York.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolution was re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
214	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
2373, SD1, HD1	Committee on Health, then to the Committee on Judiciary
2915, SD2	Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 314) was announced by the Clerk and the following action taken:

H.R. No. 314, entitled: "HOUSE RESOLUTION COMMENDING SALEVA'A FUAULI ATISANO'E, ALSO KNOWN AS KONISHIKI, FOR HIS CONTRIBUTIONS TO THE SPORT OF PROFESSIONAL SUMO WRESTLING AND FOR SUPPORTING HIS COMMUNITY ON THE LEEWARD COAST," was jointly offered by Representatives Awana, Mizuno, Say, Shimabukuro, Souki, Takumi and Takamine.

Representative Awana moved that H.R. No. 314 be adopted, seconded by Representative Mizuno.

Representative Awana recognized and introduced Mr. Saleva'a Fuauli Atisano'e, also known as Konishiki, for his contributions to sumo wrestling and his community, who was seated on the floor of the House.

Representative Mizuno introduced the following seated on the floor of the House:

Reverend Lautoa Atisano'e Vaa Sr., father;
Mrs. Chie Iijima, the honoree's wife;
Mr. Junior Atisano'e, brother; and
Ms. Michelle Leao, public relations director.

Representative Mizuno also recognized guests of the honoree seated in the gallery.

Representative Awana also recognized the honoree's sister, Ms. Luania Sula, and nephew seated on the floor of the House.

Representative Shimabukuro further recognized the honoree and Mr. Junior Atisano'e and on behalf of the Waianae community, thanked them.

The motion was put to vote by the Chair and carried, and H.R. No. 314 was adopted with Representatives Belatti, McKelvey and Nakasone being excused.

The following resolution (H.R. No. 315) was announced by the Clerk and the following action taken:

H.R. No. 315, entitled: "HOUSE RESOLUTION RECOGNIZING THE HAWAII NATIONAL GUARD FOR THEIR ASSISTANCE DURING NATURAL DISASTERS IN HAWAII," was offered by Representative Takai.

Representative Takai moved that H.R. No. 315 be adopted, seconded by Representative Brower.

Representative Takai commended the Hawaii National Guard comprised of the Hawaii Army National Guard and the Hawaii Air National Guard, for their service to the people of Hawaii in responding to natural disasters, and introduced the honorees seated on the floor of the House:

Sergeant First Class Alvin Sniffen and Master Sergeant Bernard Wong representing the many units responding to the Koloko Dam breach on the Island of Kauai.

Lieutenant Colonel Patrick Fierro and Captian Joe Tolentino representing the many units responding to the October 2006 earthquake on the Big Island.

Staff Sergeant Dave VanBuren and Major David Kashiwamura representing the many units in responding to the December 2007 flood on the Island of Maui.

Representative Brower introduced members of the Hawaii National Guard seated in the gallery:

Major General Robert Lee, Adjutant General;

Lt. Colonel, Peter Ching, President of the Hawaii National Guard Association;

Master Sergeant Maui Quizon, First Sergeant 154th Wing Hawaii Air National Guard/Hawaii National Guard Enlisted Association;

Major General Darryll D.M. Wong, Commander of the Hawaii National Guard;

Brigadier General Peter Pawling, Commander of the 154th Wing;

Colonel Ann Greenlee, Joint Force HQ Chief of Staff;

Master Sergeant Denise M. Jelinski-Hall, Senior Enlisted Leader Command Chief, Hawaii National Guard;

Colonel Gary Hara, Hawaii Army National Guard Chief of Staff;

Colonel Marty Wong, Joint Force HQ Hawaii Director of Personnel Programs;

Lieutenant Colonel Reynold Hioki, Joint Force HQ Hawaii Director of Communications and Information;

Lieutenant Colonel Gary Mizumoto, Director of Logistics 201st Combat Communications Group;

Lieutenant Colonel "Kurt" Jackson, Hawaii Army National Guard Commander, Recruiting and Retention Division;

Command Sergeant Major Oshiba, Senior Enlisted Representative for the 103rd Troop Command; and

All other Airmen and Guard personnel.

The motion was put to vote by the Chair and carried, and H.R. No. 315 was adopted with Representatives Belatti, McKelvey and Nakasone being excused.

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 12:54 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1128-08) recommending that S.B. No. 2839, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2839, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1129-08) recommending that S.B. No. 2397, SD 2, pass Second Reading and 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 S.B. No. 2397, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1130-08) recommending that S.B. No. 3074, SD 1, pass Second Reading and 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 S.B. No. 3074, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1131-08) recommending that S.B. No. 3027, SD 2, pass Second Reading and 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 S.B. No. 3027, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1132-08) recommending that S.B. No. 3028, pass Second Reading and 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 S.B. No. 3028, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1133-08) recommending that S.B. No. 2396, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2396, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Standing Committee Report 1133-08, Senate Bill 2396, SD 1, HD 1, Relating to Mental Health. I'm in support with reservations. There are two parts to the bill. My one reservation is in increasing the penalty to a Class C felony for making an assault on a person employed at a State operated or State contracted mental health facility. My concern is the bill does not have any language addressing the impacts it will have on the Department of Public Safety. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2396, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Second Reading and was referred to the Committee on Judiciary with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Green, for the Committee on Health presented four reports:

(Stand. Com. Rep. No. 1134-08), recommending that H.R. No. 90, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education;

(Stand. Com. Rep. No. 1135-08), recommending that H.C.R. No. 108, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education;

(Stand. Com. Rep. No. 1136-08), recommending that H.R. No. 114, be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce; and

(Stand. Com. Rep. No. 1137-08), recommending that H.C.R. No. 132, be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 90 and H.C.R. No. 108 be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education; and

H.R. No. 114, and H.C.R. No. 132, be referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record a no vote for him on all four measures, and the Chair "so ordered."

Representative Cabanilla rose and asked that the Clerk record a no vote for her on all four measures, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record a no vote for him on all four measures, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record a no vote for her on all four measures, and the Chair "so ordered."

Representative Yamane rose to speak in opposition to all four measures, stating:

"On those same measures, with strong reservations. I enjoy my Diet Pepsi. Thank you."

Representative Ward rose to speak in support of two measures with reservations, stating:

"Mr. Speaker, with reservations on 1136 and 1137. With the notion that Dr. Chiyome Fukino is probably one of the brightest and best intellectually that we have, but it's almost an impossible task which these resolutions ask for her to do. I don't think the CDC and all the things in Washington are going to be overpowered by what we do here. I see the intent behind this, but what can actually be done by Dr. Fukino is probably very limited. Thank you."

Representative Lee rose and asked that the Clerk record an aye vote with reservations for her on all four measures, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her on all four measures, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her on all four measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 90, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND CONSUMPTION OF PHTHALATES, BISPHENOL-A, AND ASPARTAME IN CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education with Representatives Awana, Cabanilla, Rhoads and Tokioka voting no, and with Representatives Belatti, McKelvey, Nakasone and Takumi being excused;

H.C.R. No. 108, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A TASK FORCE TO INVESTIGATE THE RISKS INVOLVED IN THE USE AND CONSUMPTION OF PHTHALATES, BISPHENOL-A, AND ASPARTAME IN CONSUMER PRODUCTS, ESPECIALLY BY YOUNG CHILDREN," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Higher Education with Representatives Awana, Cabanilla, Rhoads and Tokioka, voting no and with Representatives Belatti, McKelvey, Nakasone and Takumi being excused;

H.R. No. 114, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO FORM A WORK GROUP TO EXPLORE THE NEED TO BAN OR BETTER LABEL PRODUCTS CONTAINING THE ARTIFICIAL SWEETENER ASPARTAME," was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce with Representatives Awana, Cabanilla, Rhoads and Tokioka voting no, and with Representatives Belatti, McKelvey, Nakasone and Takumi being excused; and

H.C.R. No. 132, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO FORM A WORK GROUP TO EXPLORE THE NEED TO BAN OR BETTER LABEL PRODUCTS CONTAINING THE ARTIFICIAL SWEETENER ASPARTAME," was referred jointly to the Committee on Economic Development & Business Concerns and the Committee on Consumer Protection & Commerce with Representatives Awana, Cabanilla, Rhoads and Tokioka voting no, and with Representatives Belatti, McKelvey, Nakasone and Takumi being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1138-08) recommending that S.C.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 S.C.R. No. 57, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT PAHOA HIGH AND INTERMEDIATE SCHOOL DEDICATE ITS GYMNASIUM IN HONOR OF FORMER REPRESENTATIVE HELENE H. HALE, BY CHANGING THE NAME OF THE GYMNASIUM TO "HELENE H. HALE GYMNASIUM"," was adopted, with Representatives Belatti, McKelvey and Nakasone being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Belatti, McKelvey and Nakasone were excused.)

THIRD READING

S.B. No. 2292:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES," passed Third Reading by a vote of 48 ayes, with Representatives Belatti, McKelvey and Nakasone being excused.

At 12:58 o'clock p.m., the Chair noted that S.B. No. 2292, passed Third Reading.

ANNOUNCEMENTS

Representative Herkes: "Members, please note that the CPC hearing won't begin until 3:30 p.m. We were waiting for the arrival of bill jackets and so that's why we were late filing."

Representative B. Oshiro: "Mr. Speaker, at this time I'd just like to make a short announcement. My office again is sponsoring another Hawaii Foodbank fundraiser. This time it's going to be called the Penny War, which kicked off last week. Basically at this time we only have about 37 of the offices participating, so if anybody else wants to join in, please contact my office.

"Let me briefly explain what it is. Every single penny that is collected in the jars is worth one point. Every single silver coin and/or dollar that's put in that jar is a minus of the number amount of points that are collected. And so at the end of period, which is March 31st, we'll be tallying how many points each office has. The winning office will get a pizza party. All the proceeds will be going to the Hawaii Foodbank, and basically all the pennies and dollars and silver coins that are put in. So please contact my office if you're interested.

"At this point, I just wanted to let people know, and I'm not really into sabotaging any particular office, but there is one office that's way ahead of everybody else. They're actually on their second jar and if you want to go see it, it's in Room 441. Thank you."

Representative Shimabukuro: "Thank you, Mr. Speaker. I just wanted to invite everyone to a reception we're having for Konishiki and his supporters in Room 329, right after this."

Representative Yamashita, for the Committee on Economic Development & Business Concerns requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing S.B. No. 2394, Relating to Technology, with a proposed HD 1, to be held on Wednesday, March 19 at 8:30 a.m. in Room 325, with decision making to follow, and the Chair, "so ordered."

Representative Finnegan: "Thank you, Mr. Speaker. Just a quick reminder that tomorrow at 6:45, we have our House Activity

Tuesday on the lawn. We'll have some kickboxing tomorrow, and some self-defense. So if you can join us, it'd be great."

Representative Caldwell: "Mr. Speaker, as part of the Foodbank effort, my office is sponsoring an ice cream sundae fundraiser up in Room 437 this afternoon. Come by and we'll even give a free one Mr. Speaker, to the Minority Leader."

Representative Thielen: "Thank you, Mr. Speaker. I see some delightful Easter baskets on Representative Lee's desk and I was hoping she would make an announcement about that."

Representative Lee: "Just a reminder that on Thursday, IHS will be coming to pick up the Easter baskets, so you still have time to gather up your supplies. The people at IHS will be happy."

ADJOURNMENT

At 1:02 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 18, 2008. (Representatives Belatti, McKelvey, Nakasone and Takai were excused.)

THIRTY-FOURTH DAY

Tuesday, March 18, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:04 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Rabbi Pastor Daniel Vargas of Beth Israel Jewish Ministry and the Hebrew College of the Bible, after which the Roll was called showing all members present with the exception of Representative Nakasone, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Third Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Ching introduced members of the cultural and historical community in Hawaii:

Taipei Economic and Cultural Office - Director General Philip Wang and Mr. Eric Wong from the Senior Consular Officer;

Iolani Palace - Mr. Kippen de Alba Chu; Curator, Mr. Stewart Ching; and Collections Manager, Ms. Malia Van Heukelem;

Hawaii Theatre - Ms. Sarah Richards;

Members of the Daughters of Hawaii;

The Mission Houses - Senior Historian, Mr. Peter Salter; Senior Curator, Ms. Elizabeth Nazek; and the staff and administrators; and

Historic Hawaii - Ms. Jill Byus.

Representative Ching also introduced her staff, Ms. Katie Churchy, Ms. Colette Devou, and Ms. Amy Hammond, and intern Ms. Naomi, as well as the Representative's husband, Dr. Stuart Lerner.

Representative Ching submitted the names of the following guests seated in the gallery:

Philip Wong, Director General of Taipei Economic & Cultural Office
Eric Wong, Senior Consular Officer of Taipei Economic & Cultural Office
Paul Chesley
Justin Alexander
David Scott
Stuart Lerner, MD
Katie Churchey
Colette Devou
Amy Hammond
Naomi Kusachi
Bev Ho
Jocelyn Ho
Keith Lorenz
Merrie Carol Grain
Shaunagh Robbins
Cobey Black
Kitty Damon
The families of Sam Cooke, Robert Midkiff, Mary Judd and Frank Damon
Bonnie Judd, daughter of Mary Judd's
Mike Conroy
Bob Duren
Anna Grune
Mary Fiedler, daughter of Robert Midkiff
Mike Green, relative of Frank Damon
Jill Byus, Historic Hawaii Foundation
Brad Trotherow, supporter
Georgianna Lagora, Wife of David de la Torre

Mission House Museum Staff:
Lilith Samson
Paul Staubb
Pelimon Lucros
Charles Smith
Harold Henderson –Past President, Trustee and Assistant Treasurer
Mary Ann Lentz, Director of Development
Elizabeth Nosek, Senior Curator
Peter Salter, Senior Historian
Toshiko Fujimoto, Volunteer and Japanese Language docent
Nancy Beadle, Volunteer
Kathy McGovern, Volunteer Docent
Ally McKay, Membership Coordinator
Jackie Walden, Executive Assistant to David de la Torre
Carolyn Bond Davis, Hawaiian Mission Children's Society and Hawaii Literacy Member

Iolani Palace Staff:
Stuart Ching, Curator
Kippen De Alba Chu, Executive Director
Malia Van Heukelen, Collections Manager

Representative Ward introduced former Representative Bob McDermott.

Representative Meyer introduced Boy Scouts from the Laie Troop 16: Mr. Sterling Moe, Mr. Spencer McCarry, Mr. Erin Togiai, Mr. Kale Kahawai, and Mr. Tokeshi Kahawai. They were accompanied by Scout Master Marcus Nikoira.

Representative Evans introduced Mr. David Scott from the Daughters of Hawaii; Mr. Ralph Boyea from the Hawaii County Council; and Major General Robert Lee.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
178	Committee on Public Safety & Military Affairs, then to the Committee on Finance
297	Committee on Public Safety & Military Affairs, then to the Committee on Finance

H.C.R. Nos.	Re-referred to:
210	Committee on Public Safety & Military Affairs, then to the Committee on Finance
361	Committee on Public Safety & Military Affairs, then to the Committee on Finance

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
409, SD2	Committee on Finance
2314, SD1, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance
2342, SD2	Committee on Finance
2396, SD1	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2459, SD2	Committee on Health
2482, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2790, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
2879, SD2	Committee on Finance
2882, SD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary
2900, SD1	Committee on Transportation, then to the Committee on Judiciary
3069, SD2	Committee on Judiciary, then to the Committee on Finance
3080, SD1	Committee on Health, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 316) was announced by the Clerk and the following action taken:

H.R. No. 316, entitled: "HOUSE RESOLUTION HONORING THE MISSION HOUSES MUSEUM ON THE CENTENNIAL OF THEIR CHARTER," was jointly offered by Representatives Ching and Evans.

Representative Ching moved that H.R. No. 316 be adopted, seconded by Representative Evans.

Representative Ching commended the Mission Houses Museum for their many historical and cultural programs on the centennial anniversary of their Charter, and recognized the following honorees seated on the floor of the House:

Mr. David de la Torre, Executive Director of the Mission Houses Museum;

Mr. Robert L. Becker, III, President of the Hawaiian Mission Children's Society;

Ms. Leah Dwight, Vice President of the Hawaiian Mission Children's Society;

Ms. Mary Judd, long-time volunteer docent at the Mission Houses Museum; and

Ms. Robin S. Midkiff, Past President of the Board of Trustees of the Mission Houses Museum.

Representative Ching also recognized and thanked the following advocates for culture and the arts in Hawaii who were seated on the floor of the House:

Mr. Sam Cooke;
Mr. Robert Midkiff; and
Mr. Cyril Francis 'Frank' Damon.

Representative Ching then introduced the many friends and family members who were seated in the gallery:

Mrs. Georgianna Lagora, wife of Mr. David de la Torre;
Ms. Mary Fiedler, daughter of Mr. Robert Midkiff;
Ms. Bonnie Judd, daughter of Ms. Mary Judd;
Mr. Mike Green and Ms. Kitty Damon, family of Mr. Frank Damon;
Ms. Carol Bond Davis,
Ms. Ellie McKay;
Ms. Kathy McGovern;
Mr. Brad Trotherow;
Ms. Nancy Beatle;
Ms. Toshiko Fujimoto;
Mr. Charles Smith;
Mr. Pelimon Lucros
Mr. Paul Staab;
Ms. Lilith Samson;
Ms. Shawna Robins;
Mr. Paul Chessy;
Mr. Justin Alexander;
Mr. Cobey Black;
Ms. Ally McKay;
Mr. Keith Lorenz; and
Mr. Harold Henderson, Past President of the Mission Houses Museum.

The motion was put to vote by the Chair and carried, and H.R. No. 316 was adopted with Representative Nakasone being excused.

The following resolution (H.R. No. 317) was announced by the Clerk and the following action taken:

H.R. No. 317, entitled: "HOUSE RESOLUTION HONORING PEARL HARBOR NAVAL SHIPYARD FOR 100 YEARS OF DEDICATED SERVICE TO THE UNITED STATES NAVY AND COMMENDING THE SHIPYARD FOR ITS COMMITMENT TO THE PEOPLE OF HAWAI`I," was jointly offered by Representatives Finnegan, Ching, Marumoto, Meyer, Pine, Thielen, Ward and Bertram.

Representative Finnegan moved that H.R. No. 317 be adopted, seconded by Representative Pine.

Representative Finnegan congratulated the Pearl Harbor Naval Shipyard on 100 years of dedicated service and introduced the following honorees seated on the floor of the House:

Captain Greg Thomas, Commander of the Pearl Harbor Naval Shipyard;

Master Chief David Lajoie, Command Master Chief of the Pearl Harbor Naval Shipyard;

Mr. Gregory Kaipo Crowell, Manager of the Production Resources Department;

Mr. Brian D. Yim, Chief Engineer of the Engineering and Planning Department; and

Ms. Liane Nakahara, Congressional and Public Affairs Specialist for the Pearl Harbor Naval Shipyard and Intermediate Maintenance Facility.

Representative Finnegan then introduced the following guests seated in the gallery:

Major General Robert Lee, Adjutant General;
Ms. Ann Dickson of Connecticut, mother-in-law of Captain Thomas;
Mr. Kerry Gershaneck;
Petty Officer Parks; and
Mr. Bob McDermott of the Navy League.

Representative Pine also congratulated the Pearl Harbor Naval Shipyard and recognized the cultural importance of the Harbor.

Representative Ward further recognized the Shipyard for their expertise in high-technology.

The motion was put to vote by the Chair and carried, and H.R. No. 317 was adopted with Representatives Bertram, Brower, Manahan, McKelvey, Nakasone, M. Oshiro, Sagum, Sonson and Tokioka being excused.

At 12:52 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:02 o'clock p.m.

The Chair then announced:

"Members of the House, you all realize this is the lateral to the next Committee, so if there is any debate, it should be limited to just a few statements."

STANDING COMMITTEE REPORTS

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1139-08) recommending that S.B. No. 2258, SD 1, pass Second Reading and 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 S.B. No. 2258, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 BOARD," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1140-08) recommending that S.B. No. 2720, SD 2, pass Second Reading and 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 S.B. No. 2720, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1141-08) recommending that S.B. No. 2083, SD 2, pass Second Reading and 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 S.B. No. 2083, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF ADULT OFFENDERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1142-08) recommending that S.B. No. 2344, SD 1, pass Second Reading and 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 S.B. No. 2344, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1143-08) recommending that S.B. No. 2155, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2155, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1144-08) recommending that S.B. No. 2546, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1145-08) recommending that S.B. No. 2129, SD 2, pass Second Reading and 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 S.B. No. 2129, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS," passed Second Reading and was referred to the Committee on Legislative Management with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1146-08) recommending that S.B. No. 3172, pass Second Reading and 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 S.B. No. 3172, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1147-

08) recommending that S.B. No. 2226, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2226, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE STATE COMMISSION ON FATHERHOOD," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1148-08) recommending that S.B. No. 2141, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1149-08) recommending that S.B. No. 3050, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3050, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1150-08) recommending that S.B. No. 3060, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3060, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PUBLIC HOUSING AUTHORITY EVICTIONS BOARDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1151-08) recommending that S.B. No. 2584, SD 2, pass Second Reading and 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 S.B. No. 2584, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HONEY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1152-08) recommending that S.B. No. 2639, SD 1, pass Second Reading and 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 S.B. No. 2639, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS FOR AGRICULTURAL AND AQUACULTURE PURPOSES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1153-08) recommending that S.B. No. 2956, SD 1, pass Second Reading and 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 S.B. No. 2956, SD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1154-08) recommending that S.B. No. 2254, pass Second Reading and 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 S.B. No. 2254, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Chang and Green, for the Committee on Higher Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1155-08) recommending that S.B. No. 2146, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2146, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2146, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Second Reading and was referred to the Committee on Finance with Representative Pine voting no, and, with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1156-08) recommending that S.B. No. 2660, SD 3, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2660, SD 3, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2660, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1157-08) recommending that S.B. No. 3250, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3250, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1158-08) recommending that S.B. No. 2263, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2263, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2263, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Chang, for the Committee on Human Services & Housing and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1159-08) recommending that S.B. No. 2246, SD 2, pass Second Reading and 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 S.B. No. 2246, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1160-08) recommending that S.B. No. 2219, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2219, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ASSISTANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1161-08) recommending that S.B. No. 3185, SD 2, pass Second Reading and 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 S.B. No. 3185, SD 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Ito, for the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1162-08) recommending that S.B. No. 3174, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3174, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1163-08) recommending that S.B. No. 2054, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2054, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1164-08) recommending that S.B. No. 2212, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2212, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"I speak in favor of SB 2212, HSCR 1164. This bill is actually the product of two years of work by the Anti-trafficking Task Force. It is not a pure anti-trafficking bill, however, many facets of it will help in our fight against trafficking.

"In Washington, D.C., the Congress is about to pass a proposed amendment to the Trafficking Victims Protection Reauthorization Act of 2008 – to "establish a temporary victims' protection period." This is progress and it is heartening that our State is also taking action.

"Some concerns were heard in the Senate related to penalties which might be applied to consensual sex between adults.

Amendments to the Senate bill would probably not be enough to make the bill ineffective for exploited persons. I urge the Members' support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2212, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1165-08) recommending that S.B. No. 3119, SD 2, pass Second Reading and 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 S.B. No. 3119, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1166-08) recommending that S.B. No. 2986, SD 2, pass Second Reading and 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 S.B. No. 2986, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1167-08) recommending that S.B. No. 3190, pass Second Reading and 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 S.B. No. 3190, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1168-08) recommending that S.B. No. 2562, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2562, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2562, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1169-08) recommending that S.B. No. 2785, SD 1, pass Second Reading and 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 S.B. No. 2785, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1170-08) recommending that S.B. No. 2464, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2464, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1171-08) recommending that S.B. No. 2465, pass Second Reading and be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2465, entitled: "A BILL FOR AN ACT RELATING TO HAWAIIAN MONK SEAL DAY," passed Second Reading and was referred to the Committee on Tourism & Culture with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1172-08) recommending that S.B. No. 2644, SD 1, pass Second Reading and 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 S.B. No. 2644, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1173-08) recommending that S.B. No. 3206, SD 2, pass Second Reading and 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 S.B. No. 3206, SD 2, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Second Reading and was referred to the Committee on Finance with

Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Tsuji and Evans, for the Committee on Agriculture and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1174-08), recommending that H.C.R. No. 75, as amended in HD 1, 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. 75, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A WORKING GROUP TO EVALUATE HAWAII'S FOOD READINESS AND FOOD SECURITY IN RESPONSE TO NATURAL OR MAN-MADE DISASTERS," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1175-08), recommending that H.R. No. 20, as amended in HD 1, 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. 20, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO PROVIDE ADULT RESIDENTIAL CARE HOME OPERATORS WITH THE SERVICES NECESSARY TO ASSIST THEM IN PROVIDING CARE FOR ADULTS," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1176-08), recommending that H.C.R. No. 20, as amended in HD 1, 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. 20, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO PROVIDE ADULT RESIDENTIAL CARE HOME OPERATORS WITH THE SERVICES NECESSARY TO ASSIST THEM IN PROVIDING CARE FOR ADULTS," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1177-08), recommending that H.R. No. 77, as amended in HD 1, 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. 77, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE GOVERNOR TO CONDUCT A COMPREHENSIVE STUDY AND COST REVIEW OF CERTAIN CARE HOME SERVICES IN HAWAII," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1178-08), recommending that H.C.R. No. 95, as amended in HD 1, 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. 95, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO CONDUCT A COMPREHENSIVE STUDY AND COST REVIEW OF CERTAIN CARE HOME SERVICES IN HAWAII," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1179-08), recommending that H.R. No. 130, 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. 130, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1180-08), recommending that H.C.R. No. 157, 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. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1181-08), recommending that H.R. No. 131, as amended in HD 1, 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. 131, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1182-08), recommending that H.C.R. No. 158, as amended in HD 1, 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. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY

THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was referred to the Committee on Finance with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representatives Shimabukuro and Cabanilla, for the Committee on Human Services & Housing and the Committee on International Affairs presented two reports:

(Stand. Com. Rep. No. 1183-08) recommending that H.R. No. 16, be adopted; and

(Stand. Com. Rep. No. 1184-08) recommending that H.C.R. No. 16, be adopted.

Representative Caldwell moved that the reports of the Committees be adopted, and that H.R. No. 16 and H.C.R. No. 16, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose in opposition to both measures, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition to these resolutions. I have concerns with the composition of the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). It has been reported that its language can be misinterpreted and used to pressure countries to force pro-life, healthcare professionals to do abortions in violation of their consciences. These types of misinterpretations by official agencies such as the U.N. CEDAW Committee condemn limitations on abortion, claiming that restrictions on abortion constitute discrimination against women. I believe that the CEDAW, if ratified would condemn many abortion-related laws enacted by this very body including partial birth abortions.

"Thank you, Mr. Speaker."

Representative Lee rose to speak in support of both measures, stating:

"In support of Stand. Com. Nos. 1183 and 1184 and just if I could make some brief comments. In 1999, a resolution to support CEDAW was included as part of the House Majority package, interestingly called Change. In 1993 a resolution requesting the Congress to pass CEDAW was passed on the Floor of this House, it came out of the International Relations Committee when Helene Hale was Chair. And here we are again passing a resolution asking Congress to pass CEDAW.

"It's just amazing to me that almost 10 years have gone by and the Congress of the United States and the Senate have not passed this. The conditions in the world for women have really gotten dramatically worse in some cases; I'd like to cite the cases of human trafficking and poverty around the world. So hopefully our resolution, though it's a small step, will help to realize this goal. Thank you."

Representative Meyer rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. On this measure, Stand. Com. Rep. 1183 and 1184, while there are many worthy provisions in this, the real sticking problem that I have is that the United Nations document calls for abortions for women at any time at all during a pregnancy and I don't think that is something that we should support. I stand with strong reservations."

Representative Pine rose to speak in opposition to both measures, stating:

"No vote. And I just wanted to rebut. The reason why our Congress of the United States, both Democrat and Republican, have not passed this, is because it does promote partial birth abortion to some people who are against the bill."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committees were adopted and H.R. No. 16, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was adopted, with Representatives Finnegan and Pine voting no, and with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused; and

H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," was adopted, with Representatives Finnegan and Pine voting no, and with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1185-08) recommending that H.R. No. 93, 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. 93, HD 1, entitled: "HOUSE RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION SUPPORTING INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was adopted, with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1186-08) recommending that H.C.R. No. 111, 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. 111, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION SUPPORTING INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was adopted, with Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward being excused.

ANNOUNCEMENTS

Representative Souki, for the Committee on Transportation requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing S.B. No. 2900, SD 1, Relating to Public Lands, to be held on Wednesday, March 19 at 10:00 a.m. in Room 309, with decision making to follow, and the Chair, "so ordered."

Representative Souki: "The purpose of the bill is to look at land that is in dispute between the State and the county, and while the land is in dispute, not to allow any barriers to recreation areas or to the ocean. It does not affect any private land."

Representative Ching: "Thank you Mr. Speaker. I'd like to invite everyone in the Chamber to meet with the honorees up in Room 312. We are having lunch there and I'd like to invite everybody to come have lunch with us. Thank you."

Representative McKelvey: "Thank you, Mr. Speaker. As you know we are honoring Grammy Award winners tomorrow and I'd like to invite all the Members, since there's so many certificates, to come into the Caucus room and to sign the certificates for the honorees. Thank you."

Representative Finnegan: "Thank you, Mr. Speaker. We also will have some lunch up in Room 329 for the Pearl Harbor Naval Shipyard. Thank you."

Representative Waters, for the Committee on Judiciary requested a waiver of the 48-hour advanced notice requirement for the purpose of conducting a public hearing with decision making to follow on the following measures to be held today at 3:50 p.m.

S.B. No. 2977, Relating to Child Support Enforcement;
S.B. No. 3069, Relating to Record of Defendants Committed to a Hospital Controlled by the Director of Health or to Custody of Director of Health; and
S.B. No. 2396, Relating to Mental Health.

Representative Waters: "All these requests were made by the Attorney General."

ADJOURNMENT

At 1:13 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, March 19, 2008. (Representatives Bertram, Brower, Nakasone, Shimabukuro, Sonson and Ward were excused.)

THIRTY-FIFTH DAY

Wednesday, March 19, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:12 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Aunty Nikki Hines, accompanied by Uncle Joe Hines, after which the Roll was called showing all members present with the exception of Representatives Ito and Nakasone, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Fourth Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Mizuno introduced participants of the State Council on Developmental Disabilities Day at the Capitol and Executive Director, Ms. Waynette Cabral.

Representative Yamane introduced the members of the Outrigger Hotels Political Action Committee.

Representative Green introduced Ms. Tina Shelton, Communications Director, and Dr. Jerris Hedges, Dean, University of Hawaii John A. Burns School of Medicine.

Representative Awana introduced members from the National Conference on State Legislatures, Native American Caucus, Ms. Linda Sikkema, Ms. Irene Kawanabe and Ms. Melissa Savage.

Representative Carroll introduced Maui Councilmember, Mr. Bill Medeiros; Ms. Amanda Martin, Executive Assistant for Councilmember Gladys Baisa; Mr. Akoni Akana, Executive Director for Friends of Moku'ula; from Molokai, Ms. Lynn DeCoite and Ms. Rosie Davis; and other constituents from Molokai.

Representative Ward introduced Hawaii County Councilmember, Mr. Curtis Tyler.

Representative Hanohano introduced Hawaii County Councilmember, Ms. Emily Naeole.

Representative Brower introduced iconic newspaper columnist, Mr. John Burger.

Representative Bertram introduced Mr. Anand Ramoda.

Representative McKelvey introduced Mr. Randy Iwao; and his staff, Ms. Lauren Valle, Ms. Terii Perez, and Ms. Tish Acido-Mercado.

Representative Cabanilla introduced Mr. Domingo Los Banos from the Filipino Batallion.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
2841	Committee on Energy & Environmental Protection, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 318) was announced by the Clerk and the following action taken:

H.R. No. 318, entitled: "HOUSE RESOLUTION RECOGNIZING CLIFFORD HASHIMOTO'S PROMOTION TO ALI'I NUI AND GRAND MASTER OF THE ROYAL ORDER OF KAMEHAMEHA I," was jointly offered by Representatives Carroll, Awana, Berg, Evans, Hanohano, Manahan, McKelvey, Morita, Sagum, Shimabukuro, Tokioka, Chong and Waters.

Representative Carroll moved that H.R. No. 318 be adopted, seconded by Representative Sagum.

The Royal Order of Kamehameha I entourage entered the House Chamber with an *oli*.

Representative Carroll recognized the history of the Royal Order of Kamehameha I and introduced and congratulated Mr. Clifford Hashimoto on becoming the Ali'i Nui and Grand Master of the Royal Order of Kamehameha I, who was seated on the floor of the House.

Representative Sagum introduced the following members of the Royal Order of Kamehameha I seated on the floor of the House:

Kaka'olelo Nui Kawika Kamai from Maui;
Kahuna Nui Molitau Kaponoai from Maui;
Ali'i aimoku William Souza of Moku O Hawai'i from Hawaii;
Ali'i aimoku William Roback of Moku O Kahekili from Maui;
Ali'i aimoku Jessie Makainai of Moku O Kuhio from Oahu;
Noe'au Loa Roland Ahuna of Moku O Kapuaiwa from Oahu;
Ali'i aimoku Wendell Kekumu of Moku O Mamalahoa from Hawaii; and
Ku'auhau Nui William Garcia from Maui.

The Speaker then introduced the additional members of the Royal Order of Kamehameha I also seated on the floor of the House:

Mr. Joe Thomas from Waianae; and
Mr. Harry Pao from Kakaako.

Representative Carroll then introduced from the Royal Order of Kamehameha I and Maui Councilmember, Mr. Bill Medeiros, and recognized friends and family of the members of the Royal Order of Kamehameha I, who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 318 was adopted with Representative Nakasone being excused.

The following resolution (H.R. No. 319) was announced by the Clerk and the following action taken:

H.R. No. 319, entitled: "HOUSE RESOLUTION COMMENDING AND CONGRATULATING THE ARTISTS AND PRODUCERS OF TREASURES OF HAWAIIAN SLACK KEY GUITAR-LIVE IN CONCERT FROM MAUI, ON WINNING THE 50TH ANNUAL GRAMMY AWARD FOR BEST HAWAIIAN ALBUM," was jointly offered by Representatives McKelvey, Carroll, Hanohano, Souki and Yamashita.

Representative McKelvey moved that H.R. No. 319 be adopted, seconded by Representative Carroll.

Representative McKelvey congratulated the artists and producers of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui* and recognized the following honorees seated on the floor of the House:

Mr. George Kahumoku Jr.;
Mr. Paul Konwiser;
Uncle Richard Ho'opi'i;
Mr. Bobby Ingano;
Ms. Owana Salazar; and
Mr. Sterling Seaton.

Representative McKelvey then introduced Mrs. Robin Kamakahi, wife of Mr. Dennis Kamakahi, artist who was a part of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui*, who was seated on the floor of the House.

Representative Carroll then recognized the following artists and producers who were a part of *Treasures of Hawaiian Slack Key Guitar – Live in concert from Maui*, but were not in attendance:

Mr. Cyril Pahinui;
Mr. Martin Pahinui;
Mr. Ledward Kaapana;
Mr. Keoki Kahumoku;
Mr. Daniel Ho;
Mr. Wayne Wong;
Mr. Peter DeAquino; and
Mr. Garret Probst.

The motion was put to vote by the Chair and carried, and H.R. No. 319 was adopted with Representative Nakasone being excused.

At 12:48 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:58 o'clock p.m., with Vice Speaker Chong presiding.

STANDING COMMITTEE REPORTS

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1187-08) recommending that S.B. No. 2433, SD 2, pass Second Reading and 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 S.B. No. 2433, SD 2, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1188-08) recommending that S.B. No. 2569, pass Second Reading and 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 S.B. No. 2569, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1189-08) recommending that S.B. No. 2498, SD 1, pass Second Reading and 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 S.B. No. 2498, SD 1, entitled: "A BILL FOR AN ACT RELATING TO A MAKAHIKI DAY COMMEMORATION," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, with Representative Nakasone being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1190-08) recommending that S.B. No. 2730, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2730, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1191-08) recommending that S.B. No. 3092, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3092, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1192-08) recommending that S.B. No. 2454, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1193-08) recommending that S.B. No. 2803, SD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2803, SD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you. I'd like to rise in favor of Stand. Com. Rep. 1193, Senate Bill 2803, SD 1, Relating to Personal Information. I will be voting with reservations because mainly, I think the bill calls for it to be attached to the DCCA. The original bill had it attached to the Office of the Attorney General which might have been a more appropriate place to be. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2803, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1194-08) recommending that S.B. No. 3008, SD 2, pass Second Reading and 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 S.B. No. 3008, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1195-08) recommending that S.B. No. 3009, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 3009, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like to record a no vote on Stand. Com. Rep. No. 1195-08 on page 4, SB 3009, SD 2, HD 1, Relating to Money Transmitters. I'd like to say a few words regarding this particular bill.

"Mr. Speaker, this is an anti-competitive bill. Look at the numbers. If we want to raise taxes this is the way to do it. This is attacking a small community of transmitters that are in competition with the large banks and large money transmitters such as Western Union, etc. They're focusing on the Filipino transmitters that transmit hundreds of dollars to their families in the Philippines.

"When this legislation first came out and was being pushed by the large money-men, large banks and for example the Philippine Bank, Land Bank of the Philippines, Western Union and those large corporations that do business in this area. They were saying that monies were being transmitted to fund terrorism. There's no evidence that has ever been presented that there is money being transmitted to any terrorists by these families that live in Hawaii trying to help their families in the Philippines.

"Money transmitting business today, without this law, is very difficult to enter into because of the regulations, the over-regulations promoted from the existing in law. This measure does the following: first, it now will increase the fee from up to $15,000 to open a transmitting business, just to get a license, up to $15,000 to get a license. In addition to that, if you obtain your license by November you have to renew the license by December of that year. That's an additional $15,000.

"Also, the reporting requirements are draconian. Who does this? What does this? They have to report and if they fail in any way to report, to report their financials to the Commissioner, the Commissioner can examine them. The licensed person, the delegates, the shareholders, etc., will be examined. The bill requires that the licensee pay for the cost of the examination, plus pay for the per diem in mileage and other expenses of the Commissioner going to examine the site. What businesses do we regulate in this manner and at this cost?

"There are also criminal penalties, as well as civil penalties. There's reporting requirements by the Commissioner to report to the Attorney General, to the Prosecutor, and to federal and State agencies. It's ridiculous. There are also other fees that are being requested.

"Let me go to the penalties. Civil penalties for any violation in the existing law and as being amended by the measure will now cost $500 per day, plus State's costs in expenses for investigation and prosecution of the matter, plus attorney's fees. Now, what are they trying to do here? Obviously it's to avoid the competition because these small-time businesses that are opening up around the State literally to help. I'm using the example of Filipinos, but Mr. Speaker, I'm saying this is for all money transmitters that go through other countries. They also send to Samoa, Micronesia and other nations.

"These small transmitters are obviously doing a great job because it's costing a lot less to transfer $100 from point A to point B. They can't stand the competition and they come to us under the guise of protecting the public. What consumer are we protecting here? We're protecting big business. Consumer protection? No. There is no such evidence that this is harming any consumer out there. If there is a huge problem out there, we've had this law for a while. Is there a complaint? Look at the testimony that's being offered. Testimony is only coming from the financial institutions. It's ridiculous. I'm sorry Mr. Speaker, but I urge my colleagues out there to read this bill. Look at it. Look at the provisions, it's draconian. We don't do this to any other businesses. I would dare to say that this is anti-business, and I dare to say it's anti-Filipino in this case. Thank you very much."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm speaking against this measure. I'm speaking for the small businesses in our State. There are a lot of small money transmitters in Kalihi and Waipahu. And for some grandmother that wants to send a small amount of money to the Philippines or to Micronesia or to Samoa, they can pay a small fee for the small amount.

"Now the big institutions, banks and financial institutions in our State charge a much larger fee. And of course they are exempt in this measure; they are not subject to this bill. I spoke against this measure when it came up about a year ago, but in the final vote, I voted yes with reservations. I spoke with the lobbyist on this matter and he assured me that these fees mentioned on page 12 will never go up. They will not go up. I asked him, 'Are you not coming back next year and ask for these fees to go up?' and he said, no.

"So I'm taking this on a personal basis, Mr. Speaker, because somebody lied to me. Besides I don't see the point why a non-refundable application fee needs to go up from $1,000 to $2,000 in a year's time, plus $100 to $300 for each location that they have. And now the aggregate amount they have to pay in the previous bill that I supported with reservations was $4,000. Now it's $15,000. They're obviously creating a barrier for the small businesses.

"Furthermore Mr. Speaker, money transmissions go to foreign countries involving foreign currencies used by immigrants. I feel that the right thing to do for this bill is to recommit it to the International Affairs Committee. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3009, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Second Reading and was referred to the Committee on Finance with Representatives Cabanilla and Sonson voting no, and with Representative Nakasone being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1196-08) recommending that S.B. No. 3023, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3023, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second

Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1197-08) recommending that S.B. No. 2768, SD 2, pass Second Reading and 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 S.B. No. 2768, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1198-08) recommending that S.B. No. 2104, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2104, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1199-08) recommending that S.B. No. 2157, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2157, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1200-08) recommending that S.B. No. 2039, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2039, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2039, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1201-08) recommending that S.B. No. 2262, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2262, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2262, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1202-08) recommending that S.B. No. 2594, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2594, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker. On the same measure, Standing Committee Report 1202, Relating to Labor Unions, a no vote. Mr. Speaker, this bill does away with the right to a secret ballot and I can't support that."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker also a no vote on 1202 for the sake of the democratic process. Thank you."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2594, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1203-08) recommending that S.B. No. 3004, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3004, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1204-08) recommending that S.B. No. 3087, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3087, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1205-08) recommending that S.B. No. 3088, as amended in HD 1, pass Second Reading and 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 S.B. No. 3088, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LABOR AND INDUSTRIAL RELATIONS APPEALS BOARD," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1206-08) recommending that S.B. No. 2169, SD 1, pass Second Reading and 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 S.B. No. 2169, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1207-08) recommending that S.B. No. 2826, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2826, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1208-08) recommending that S.B. No. 2825, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2825, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank, you, Mr. Speaker. That's a bill I think that has a lot of problems. I am standing in support with reservations. I think there's still time to improve it and get rid of some of the more troublesome parts of it. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I will be voting no on Stand. Com. Rep. No. 1208 and the attached measure. I think this would assess a fine on the procurement officer in the State and I'm not sure whether it's just the Chief Procurement Officer or one of its designees. There's a procurement officer in every department, and I believe even in the House and the Senate. This would assess fines on them for certain violations and I don't think its right to fine our public servants especially when they might be following the directives of their bosses. So I think this bill is in need of drastic surgery. Thank you, very much."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker I, also rise with reservations on this measure. We are big on this side of the aisle on individual responsibility, be accountable for your actions, but when this is an institutional, particularly a public body, to say the individual who wrote the bid gets hit with the fine, I think that's a little bit draconian. Thank you, Mr. Speaker."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Second Reading and was referred to the Committee on Judiciary with Representative Marumoto voting no, and with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1209-08) recommending that S.B. No. 2867, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2867, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1210-08) recommending that S.B. No. 591, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 591, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1211-08) recommending that S.B. No. 1793, SD 1, as

amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1793, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. 1211, I will vote with reservations and this has to do with the Natural Energy Laboratory of Hawaii. This is a request for a little more autonomy and I think it is desired, and NELHA desires and perhaps is deserving of this greater autonomy. However NELHA is not a private entity, but a public one and so it does require a degree of oversight and in this case by the Department of Business and Economic Development. They may have certain issues with the Department, but I don't think they should be sprung free as much as this bill would allow it. If NELHA, this one agency, receives this type of treatment, I think other agencies will also follow suit. Thank you, very much."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer 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 Herkes rose to speak in support of the measure, stating:

"In strong support. If DBEDT paid any attention to NELHA this bill wouldn't be necessary. They haven't been to a Board meeting at NELHA for a year and a half."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1793, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1212-08) recommending that S.B. No. 2088, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2088, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1213-08) recommending that S.B. No. 2156, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2156, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure, stating:

"I just stand in strong support of the measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2156, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1214-08) recommending that S.B. No. 2816, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2816, SD 1, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure, stating:

"I just stand in strong support of the measure."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2816, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1215-08) recommending that S.B. No. 3227, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3227, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1216-08) recommending that S.B. No. 2345, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1217-08) recommending that S.B. No. 2082, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2082, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1218-08) recommending that S.B. No. 2447, as amended in HD 1, pass Second Reading and 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 S.B. No. 2447, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATIONAL GUARD," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1219-08) recommending that S.B. No. 2579, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2579, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I support Senate Bill 2579, Senate Draft 1 with reservations. My primary concern with this measure is that it erodes the ability of the Campaign Spending Commission to operate independently and free from political pressures.

"As drafted, this measure: (1) increases penalties for failing to file required campaign spending reports or for filing substantially defective or deficient reports; (2) increases the amount that may be designated on an income tax return to be placed into the Hawaii election campaign fund from $2 to $3; and (3) provides that campaign spending penalties and fines be deposited into the general fund rather than the Hawaii election campaign fund.

"The first two provisions strengthen Hawaii's campaign spending laws. Timely filing of complete and accurate campaign spending reports is essential to help the Campaign Spending Commission monitor candidates and committees' compliance with campaign spending laws. Increasing the voluntary income tax check-off is also positive inasmuch as this is the primary source of funding for the Commission that allows the Commission to operate effectively.

"The third provision, however, that moves penalties from the campaign election fund into the general fund, potentially erodes the ability of the Commission to operate effectively if no regular source of revenue is identified to replace these penalties. Previously, the Commission was required to request funds on an annual basis from the very people the Commission regulates. It would be detrimental to the Commission's ability to act independently if the Commission had to return to this practice."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2579, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1220-08) recommending that S.B. No. 2961, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2961, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Luke rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report 1220-08, SB 2961, Claims Against the State, I wanted to disclose a potential conflict. I believe one of the claims has been represented by the law firm that I work for, but I did not work on the case," and the Chair ruled "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2961, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1221-08) recommending that S.B. No. 2041, pass Second Reading and 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 S.B. No. 2041, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1222-08) recommending that S.B. No. 2857, SD 2, pass Second Reading and 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 S.B. No. 2857, SD 2, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1223-08) recommending that S.B. No. 3257, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 3257, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1224-08) recommending that S.B. No. 2583, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2583, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1225-08) recommending that S.B. No. 2423, SD 2, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2423, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. This is regarding Stand. Com. Report 1225. Unfortunately I was not able to be at the hearing and so I'm standing with reservations until I can see the comments of our Committee as they are addressed in Finance."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Also on 1225, I'd like to ask for a ruling on a potential conflict of interest. At my law firm I'm representing the community and their lawsuit against Kuilima Resort," and the Chair ruled "no conflict."

Representative Wakai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1226-08) recommending that S.B. No. 2501, SD 2, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2501, SD 2, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, a no vote for me please on Standing Committee Report 1226, and this is Relating to the Rental Motor Vehicle Surcharge Tax. This bill will extend the one dollar a day surcharge on motor vehicles for one more year, and I don't think that's in the best interest of taking care of our local people or our visitors."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2501, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RENTAL MOTOR VEHICLE SURCHARGE TAX," was referred to the Committee on Finance with Representative Thielen voting no, and with Representative Nakasone being excused.

Representatives Yamane and Ito, for the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1227-08) recommending that S.B. No. 2499, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1228-08) recommending that S.B. No. 2164, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 2164, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1229-08) recommending that S.B. No. 2449, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2449, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1230-08) recommending that S.B. No. 6, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 6, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Second Reading and was referred to the Committee on Judiciary, with Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1231-08) recommending that S.B. No. 3, SD 1, pass Second Reading and 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 S.B. No. 3, SD 1, entitled: "A BILL FOR AN ACT RELATING TO KAHANA VALLEY STATE PARK," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1232-08) recommending that S.B. No. 3138, SD 1, pass Second Reading and 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 S.B. No. 3138, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Ito and Shimabukuro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1233-08) recommending that S.B. No. 2293, SD 1, pass Second Reading and 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 S.B. No. 2293, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1234-08) recommending that S.B. No. 1526, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 1526, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1235-08) recommending that S.B. No. 2876, as amended in HD 1, pass Second Reading and 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 S.B. No. 2876, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1236-08) recommending that S.B. No. 3005, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3005, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1237-08) recommending that S.B. No. 2842, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2842, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," passed Second Reading and was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1238-08) recommending that S.B. No. 2748, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2748, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROCUREMENT CODE," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Nakasone being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1239-08) recommending that S.B. No. 2827, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Second Reading, and was placed on the calendar for Third Reading, with Representative Nakasone being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1240-08), recommending that H.R. No. 21, as amended in HD 1, 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. 21, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1241-08), recommending that H.C.R. No. 21, as amended in HD 1, 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. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1242-08), recommending that H.R. No. 49, as amended in HD 1, be referred to the Committee on Judiciary.

(Stand. Com. Rep. No. 1243-08), recommending that H.C.R. No. 49, as amended in HD 1, be referred to the Committee on Judiciary.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 49, HD 1, and H.C.R. No. 49, HD 1, be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him on both measures, and the Chair "so ordered."

Representative Ward rose to speak in support of both measures with reservations, stating:

"On those same measures, I am voting with reservations being that it's a homerule issue."

Representative Tokioka rose and asked that the Clerk record a no vote for him on both measures, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her on both measures, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 49, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Judiciary, with Representatives Meyer and Tokioka voting no, and with Representative Nakasone being excused; and

H.C.R. No. 49, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY MAYOR AND COUNTY COUNCIL TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was referred to the Committee on Judiciary, with Representatives Meyer and Tokioka voting no, and with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1244-08), recommending that H.R. No. 125, as amended in HD 1, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 125, HD 1, entitled: "HOUSE RESOLUTION URGING THE INSURANCE COMMISSIONER TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1245-08), recommending that H.C.R. No. 146, as amended in HD 1, be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 146, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE INSURANCE COMMISSIONER TO INITIATE AN INVESTIGATION AND CORPORATE AUDIT OF THE HAWAII MEDICAL SERVICES ASSOCIATION'S PRACTICE OF MAINTAINING AN EXCESSIVE SURPLUS, PROVIDING LARGE BONUSES TO STAFF, AND REIMBURSEMENT PATTERNS OVER THE PAST TEN YEARS TO DETERMINE IF THE CHARITABLE RETURN TO THE COMMUNITY JUSTIFIES ITS NONPROFIT STATUS," was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, with Representative Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1246-08), recommending that H.R. No. 113, 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. 113, entitled: "HOUSE RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1247-08), recommending that H.C.R. No. 131, 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. 131, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DIRECTOR OF HEALTH TO CONVENE AND FACILITATE A BLUE RIBBON PANEL TO PERFORM A COMPREHENSIVE INVENTORY OF ALL OF HAWAII'S ACUTE CARE AND LONG-TERM CARE FACILITIES AND TO MAKE RECOMMENDATIONS FOR NECESSARY EXPANSION OF SUCH FACILITIES FOR THE STATE BETWEEN NOW AND THE YEAR 2020," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1248-08), recommending that H.R. No. 70, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 70, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1249-08), recommending that H.C.R. No. 86, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 86, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO REPLACE ALL INCANDESCENT BULBS WITH COMPACT FLUORESCENT LIGHTING," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1250-08), recommending that H.C.R. No. 141, as amended in HD 1, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and H.C.R. No. 141, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF SOCIAL SCIENCES PUBLIC POLICY CENTER TO FORM A TASK FORCE TO EVALUATE ESTABLISHING COMPREHENSIVE RECYCLING PROGRAMS IN SCHOOLS," was referred to the Committee on Energy & Environmental Protection, with Representative Nakasone being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1251-08), recommending that H.C.R. No. 123, as amended in HD 1, 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. 123, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD," was referred to the Committee on Finance, with Representative Nakasone being excused.

ANNOUNCEMENTS

Representative Carroll: "Thank you, Mr. Speaker. On behalf of the Hawaiian Caucus, we want to invite all of you to lunch in Room 329. On your desk you will see there's a program and your ticket to enter for your lunch. And also just an announcement for the Hawaiian Caucus Members, if we can take some pictures after session right outside the Caucus room. Thank you."

Representative Ito: "Mr. Speaker, the Committee on Water, Land, Ocean Resources and Hawaiian Affairs, and the Committee on Agriculture will have decision making in the Auditorium at 1:45 p.m. Thank you."

Representative Brower: "Mr. Speaker, just a reminder. Committee Members of the Agriculture and Committee Members of Agriculture Committee at heart, we are reconvening our hearing from 9:00 a.m. and it will take place at the Capitol Auditorium today at 2:00 and at issue is Senate Bill 958."

Representative Lee: "Mr. Speaker, on behalf of the Women's Caucus, I'd just like to announce that there's one more day to participate in this year's Easter basket project. And you can't help but smile when you look at the beautiful baskets that are in the offices. Many offices have completed multiple baskets and for that we're very grateful. And I know it will bring smiles to the faces of those that receive them.

"Thank you all for your generosity and please bring your completed baskets tomorrow, March 20 at 1:30 p.m. to the Chamber level turn around area entry. IHS will be there to receive them and I encourage you to join us if we are finished with session. Thank you very much."

Representative Takai: "Thank you, Mr. Speaker. Today marks the fifth year since the start of the War on Terror. We're all familiar with what has happened over the past five years and regardless of how we feel about the war, we need to know that over 30,000 U.S. troops have been injured, and nearly 4,000 have lost their lives.

"And as we've done the last three years, or the last two years, this marks the third year; the Hawaii State Legislature will be coming together in joint session. I wanted to remind our colleagues of this because people keep on asking me today: When is the ceremony? What time? And all the other things.

"It's going to be next week Tuesday, March 25th. Instead of being in the morning it's going to be in the afternoon at 2:00 p.m. I think we need to be aware of this because of this event, we'll be blocking off parking for the entire day and coordination of this event through the Clerk's Office and the Sergeant-at-Arms Office, as well as the Speaker's Office and Representative Cindy Evans' office, has made it possible for us to do this, but it is going to take some effort on the part of all of us.

"So as we reflect on the past five years I just wanted to mention once again that we need to prepare ourselves and encourage friends and family who have been touched by this war to join us at our session next week Tuesday. Thank you, Mr. Speaker."

ADJOURNMENT

At 1:24 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, March 20, 2008. (Representative Nakasone was excused.)

THIRTY-SIXTH DAY

Thursday, March 20, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with Vice Speaker Chong presiding.

Representative Ryan I. Yamane introduced Chaplain Ronaldo Pascua of the Hawaii Army National Guard, who then delivered the invocation. The Roll was called showing all members present with the exception of Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Second, Twenty-Third and Twenty-Fourth Days were approved. (Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 277 and 278) were received and announced by the Clerk:

Gov. Msg. No. 277, dated March 17, 2008, transmitting the Report Pursuant to Chapter 333E-3(5)(A), Hawaii Revised Statutes, Hawaii State Council on Developmental Disabilities 2007 Annual Report.

Gov. Msg. No. 278, dated March 7, 2008, transmitting the Department of Human Services' Report as required by Section 346-59.9, Hawaii Revised Statutes.

The following message from the Governor (Gov. Msg. No. 279) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 279, transmitting H.B. No. 987, HD 1, SD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
March 19, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 987

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 987, entitled "A Bill for an Act Relating to Police Officers."

The purposes of this bill are (1) to clarify the meaning of "acts done in the performance of the officer's duty as a police officer" for the purposes of determining if a police officer who is prosecuted or sued must be represented by an attorney provided by the county and (2) to specify that the police commission's request for a recommendation by the county attorney or corporation counsel regarding the entitlement of the police officer to counsel at county expense shall be responded to within seven working days.

Section 52D-8, Hawaii Revised Statutes, provides that whenever a police officer is prosecuted criminally or sued civilly for acts done in the performance of the officer's duty, the officer shall be represented at county expense or by the county. The amendment made by this bill will define the acts done in the performance of the officer's duty as a police officer to include any action while in a duty status or while the police officer is on duty, any action performed by an off-duty police officer while effecting an arrest or performing any other police duty, and any action performed by the police officer while on special duty status.

As written, this bill is overly broad and could place the counties in a position that they would have to defend a police officer when he committed a criminal act. The bill very clearly provides that whenever there is a criminal case or civil case against an officer, and the acts the officer is claimed to have committed occurred while the officer was on regular or special duty, the counties must provide an attorney to represent the officer. Thus, an officer who, while on patrol, engaged in a drug deal or robbed a bank, would have an absolute entitlement to a county-paid attorney if criminally charged with possession of an illegal substance or bank robbery. As this bill is written, there are no exceptions -- so long as the officer is on duty, the officer gets a county-paid lawyer, regardless of the acts the officer commits.

We recognize the need for officers to be provided with legal representation when in the performance of their duties. However, there may be acts committed by a small minority of officers while in the performance of their duties that are not in the scope of an officer's authority as a police officer, i.e., activities such as the sale of narcotics, sexual assault, domestic violence, burglary. Officers should not be provided with legal representation in these or similar instances. Automatically affording officers legal representation would violate the trust bestowed by the citizens they are sworn to protect. Further, legal representation paid for by the individual counties in instances when a law enforcement officer commits criminal acts would blemish the reputation and integrity of all law enforcement officers and endanger the public's support in their Police Departments.

Additionally, the seven day timeline for a county's corporation counsel or county attorney to submit a recommendation to the police commission is, in the judgment of the counties, unrealistic and could cause the county police commissions to make decisions without proper recommendations and without the relevant investigative information. A proper investigation often takes weeks to complete.

We acknowledge that police officers' work places them in confrontational situations, which may lead to allegations of civil and criminal wrongdoing. We are sympathetic to the concerns expressed by police officers and by the State of Hawaii Organization of Police Officers, who are not confident that all deserving officers receive legal representation, and are concerned about the potential consequences of lawsuits and criminal charges and the effect on officers' morale and the manner in which they may carry out their duties. I understand the State of Hawaii Organization of Police Officers has worked with the counties over the past week to craft language that addresses the concerns of the counties, while ensuring representation for police officers when it is truly warranted.

I would support a bill that made it more likely that deserving officers would receive legal representation. I cannot support this bill with the serious language flaws described above.

For the foregoing reason, I am returning House Bill No. 987 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 372 and 373) were received and announced by the Clerk:

Sen. Com. No. 372, transmitting H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS," which passed Third Reading in the Senate on March 19, 2008.

Sen. Com. No. 373, transmitting H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE," which passed Third Reading in the Senate on March 19, 2008.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 69) was received by the Clerk and was placed on file:

Dept. Com. No. 69, dated March 18, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the Sunrise Report: Condominium Commission.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Yamane introduced Mrs. Joy Pascua, wife of Chaplain Ronaldo Pascua who delivered today's invocation.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following resolution and concurrent resolution were re-referred to committee by the Speaker:

H.R. No.	Re-referred to:
257	Committee on Consumer Protection & Commerce, then to the Committee on Finance

H.C.R. No.	Re-referred to:
309	Committee on Consumer Protection & Commerce, then to the Committee on Finance

The following bill was re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
788, SD2	Committee on Finance
2833, SD1	Committee on Finance

At this time, the Chair announced:

"Members, before we begin I just wanted to let you know we have over 90 bills before us today, and if possible, I would like to finish by 1:00 as there are some Committee meetings, as well as our Easter basket pick up."

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1252-08) recommending that S.B. No. 2441, as amended in HD 1, pass Second Reading and 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 S.B. No. 2441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Second Reading and was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1253-08) recommending that S.B. No. 2245, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2245, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1254-08) recommending that S.B. No. 2094, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2094, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Souki and Evans, for the Committee on Transportation and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1255-08) recommending that S.B. No. 3240, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 3240, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1256-08) recommending that S.B. No. 2991, SD 2, HD 1, 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 S.B. No. 2991, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1257-08) recommending that S.B. No. 3030, SD 2, HD 1, 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 S.B. No. 3030, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1258-08) recommending that S.B. No. 2530, SD 2, as amended in HD 1, 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 S.B. No. 2530, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE SUPPORT FOR SMALL BUSINESS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1259-08) recommending that S.B. No. 2191, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2191, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1260-08) recommending that S.B. No. 2315, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2315, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1261-08) recommending that S.B. No. 2313, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2313, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1262-08) recommending that S.B. No. 3006, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3006, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1263-08) recommending that S.B. No. 3020, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3020, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ACTIVITIES REGULATED BY THE INSURANCE COMMISSIONER," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1264-08) recommending that S.B. No. 3171, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3171, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1265-08) recommending that S.B. No. 2159, as amended in HD 1, pass Second Reading and 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 S.B. No. 2159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1266-08) recommending that S.B. No. 2804, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2804, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRE-PACKAGED MEAT," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1267-08) recommending that S.B. No. 3015, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3015, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives

Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1268-08) recommending that S.B. No. 2524, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2524, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PRISONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1269-08) recommending that S.B. No. 2467, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2467, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOANS TO ASSIST AGRICULTURAL AND AQUACULTURAL INDUSTRIES," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1270-08) recommending that S.B. No. 2850, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2850, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1271-08) recommending that S.B. No. 520, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 520, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERNATIONAL AFFAIRS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1272-08) recommending that S.B. No. 2886, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2886, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1273-08) recommending that S.B. No. 2837, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2837, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1274-08) recommending that S.B. No. 2982, as amended in HD 1, 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 S.B. No. 2982, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1275-08) recommending that S.B. No. 3165, SD 2, as amended in HD 1, 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 S.B. No. 3165, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1276-08) recommending that S.B. No. 3258, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 3258, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG TERM CARE REIMBURSEMENTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1277-08) recommending that S.B. No. 3168, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3168, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CREATIVE MEDIA," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1278-08) recommending that S.B. No. 3076, pass Second Reading and 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 S.B. No. 3076, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1279-08) recommending that S.B. No. 3077, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3077, SD 2, entitled: "A BILL FOR AN ACT RELATING TO VOLUNTEER MEDICAL ASSISTANCE SERVICES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Chang and Shimabukuro, for the Committee on Higher Education and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1280-08) recommending that S.B. No. 2480, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 2480, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1281-08) recommending that S.B. No. 2334, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2334, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I wanted to speak in opposition to Senate Bill 2334, SD 2. Thank you, Mr. Speaker. This bill repeals the exemption from civil service of the First and Second Deputy Sheriff. It requires the Deputy Sheriff for Law Enforcement and the Sheriff to be graduates of a law enforcement academy.

"I'm concerned that this bill would limit the ability of the Governor and the Director of Public Safety to appoint candidates of their choice to the positions. It is critical for the successful operation of any department that the leaders and the administrators work together as a unit. Therefore it is critical that the Governor and the Director of Public Safety have the opportunity and the capacity to select those administrators that will work well within the current system. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2334, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Second Reading and was referred to the Committee on Finance with Representative Meyer voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1282-08) recommending that S.B. No. 2828, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2828, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against Standing Committee Report 1282 and Senate Bill 2828, which is relating to emergency powers under disaster relief.

"Mr. Speaker, this bill is either identical to or very similar to House Bill 2664, which restricts the Governor's powers. I would like to quote from the Attorney General on this matter and I quote, 'This bill would turn the clock on emergency management law in Hawaii back 57 years and significantly hamper the Governor's ability to respond to emergencies and disasters.' This was said by Attorney General Mark J. Bennett.

"Mr. Speaker, I would like to ask that my remarks on House Bill 2664 be inserted in the Journal in opposition to this bill, which shows the incorrect activity of this Legislature in doing this, in trying to rein in the Governor's powers. I would hope that Members would think seriously before letting this bill move forward.

"I believe that there's an editorial on this effect in the *Advertiser*. The *Honolulu Weekly* similarly has put in a piece on this matter. It makes me more than puzzled. It makes me be amazed that people can be so partisan in this body to try to rein in the well-used powers of Governor Linda Lingle. I think that our people out there who will bear the brunt of the action here in the Legislature, and the people will not be happy. Thank you"

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition. In continuation of the remarks from my colleague, I think if I was in the Majority, I would really think twice about voting for this bill. In fact if you want to take powers away from the Governor, go ahead, but don't do this one. This one goes against the people of Hawaii. This is the one where you have to be an Executive to execute decisions quickly and firmly. It's the difference between being on the Board of Directors, versus being the President of the company. You have to make decisions. You can't go to a committee. As they say, a committee is a horse designed as a camel, or a camel turns out to be a horse when it comes into a committee.

"And when the Governor, whose job is to execute, she can't refer to the Legislature as a reference point. Mr. Speaker, you have the prerogative as the Majority to do these kinds of things, but this one is probably the least wise of all. As I said it goes against the governed, not the Governor. It's against the people of Hawaii. And there's only one way to explain it, and that's what has been coined as IFL, the IFL-phobia. Not the fear of high towers, like the Eiffel Tower in Paris, but the irrational fear of Lingle is the only way to explain it Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"In support. Mr. Speaker, when we had this debate a few days ago, it struck me that the difference in opinion has to do with the definition of an emergency. One of the examples given by the Minority Party was homelessness on the Leeward Coast. Well there's

been homelessness on the Leeward Coast for many years. And yes, for those who are experiencing it, it is an emergency, just as for those who are involved in an automobile accident are part of an emergency that's bigger than just themselves. You have hundreds of automobile accidents every year, but it's been going on for 50 years. Is it still an emergency after 50 years?

"Like I say, it's an emergency to those that it's happening to, but in the broad scheme of things, it's not something we can resolve in five minutes or if somebody's rushed to the hospital everything's going to be okay. It's a policy decision about how to handle homelessness, and in that area the Legislature certainly has a role to play. Of course it's easier not to have a Legislature. Dictatorship is the most efficient form of government, but is it the best form? I would argue that it's not. Mahalo."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker. I'm rising in opposition to that measure. I would take exception to some of the things said by the previous speaker. In that the example of the homeless problem on the Leeward Coast, it was not just an emergency, it was a health and safety problem. It would not make any of us proud that it was allowed to get in the state that it was in because people simply looked the other way for so many years.

"And as far as health and sanitation, it was a problem for the residents of the Leeward Coast that they were now held out, they couldn't even use the public parks that were there for their pleasure and use. So I don't think there was any question this was an emergency. I think that's enough. Thank you."

The Chair then announced:

"Members, this measure will be going to the Finance Committee, so may we move on?"

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Green rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2828, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was referred to the Committee on Finance with Representatives Belatti, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report (Stand. Com. Rep. No. 1283-08) recommending that S.B. No. 2774, SD 2, 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 S.B. No. 2774, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1284-08) recommending that S.B. No. 2080, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2080, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1285-08) recommending that S.B. No. 2163, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2163, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1286-08) recommending that S.B. No. 2652, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2652, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on Standing Committee Report 1286-08, I would like to request a ruling a potential conflict. At my law firm, we're representing the substitute teachers in the class action versus the State. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2652, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1287-08) recommending that S.B. No. 2663, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2663, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1288-08) recommending that S.B. No. 3252, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3252, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1289-08) recommending that S.B. No. 2878, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2878, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1290-08) recommending that S.B. No. 2571, SD 1, HD 1, 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 S.B. No. 2571, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1291-08) recommending that S.B. No. 2900, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2900, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1292-08) recommending that S.B. No. 2421, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2421, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. To be consistent, I'd like to cast a no vote on Standing Committee Report 1292, and this is relating to land acquisition of the Galbraith Estate. Mr. Speaker my concern again is that land is contaminated. The State will be picking up a huge liability and I don't know if we have the funding to really be able to deal with that. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. The land is not contaminated. The EPA gave it a clean bill of health several years ago. Thank you."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on the same measure, I just wanted to declare a potential conflict. Some of my partners are shareholders in the Galbraith Trust and my wife's financial institution that she works at is the trustee for the trust. Thank you," and the Chair ruled, "no conflict."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I am standing in support with brief comments. If we're really considering land acquisition in Turtle Bay, this would definitely qualify as well. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am rising in opposition to that measure. In addition to the liability of some of the agriculture lands, I'm concerned about Lake Wilson and the dam that created Lake Wilson. Thank you."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2421, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Second Reading and was referred to the Committee on Finance with Representatives Finnegan, Meyer and Thielen voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1293-08) recommending that S.B. No. 3102, SD 2, pass Second Reading and 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 S.B. No. 3102, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1294-08) recommending that S.B. No. 3137, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3137, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR

AKULE FISH MONITORING," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1295-08) recommending that S.B. No. 2997, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2997, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1296-08) recommending that S.B. No. 3103, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 3103, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative B. Oshiro.

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 3103, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Second Reading and was referred to the Committee on Judiciary with Representative Thielen voting no, and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1297-08) recommending that S.B. No. 2896, SD 2, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2896, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Second Reading and was referred jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1298-08) recommending that S.B. No. 3228, 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 S.B. No. 3228, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1299-08) recommending that S.B. No. 2273, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 2273, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1300-08) recommending that S.B. No. 3061, as amended in HD 1, 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 S.B. No. 3061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1301-08) recommending that S.B. No. 2493, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2493, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. No. 1301, Senate Bill 2493, Making an Appropriation for Collective Bargaining Cost Items. This has to do with teachers, but as came out in Committee that the measure is unnecessary as this issue has already been addressed in House Bill 1568, CD 1, which was passed last year, so I have reservations on that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Sonson and Evans, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1302-08) recommending that S.B. No. 2779, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2779, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"On Senate Bill 2779, the Labor Wages and Hours, I'm not clear what this bill is trying to do. It's unclear what the intent is, but by including one specific section of authority to suspend Chapter 104 HRS, it can be construed that the Governor is limited in the authority to suspend requirements under any other disaster statutes. For example the current Civil Defense and Emergency Act, Chapter 128 HRS, I'm just not sure what this bill is going to do. So I'm going to vote with reservations."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2779, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Sonson and Yamashita, for the Committee on Labor & Public Employment and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1303-08) recommending that S.B. No. 2780, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2780, SD 2, HD 1, pass Second Reading and be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to Stand. Com. Rep. No. 1303, Senate Bill 2780, SD 2, HD 1, Relating to Public Works. This bill would cover projects used on State or county lands, but they would cover private projects. So you'd have to come under the Little Davis Bacon Act, even if the lessee is a private entity operating a private business, and the lessee's operations are not funded by government revenues, nor are the leases entered for purpose of the lessee's constructing improvements to be used or occupied by governmental agencies.

"Unlike construction contracts for true public work projects, DLNR would have to act as a passive landlord in the leases that it manages and would not be able to dictate, oversee, or participate in the lessee's operations or management, let alone get involved in personnel issues and decisions. So as such it would be inappropriate, in fact well near impossible for DLNR to monitor and enforce any proposed wage and hour provisions in this business.

"The bill also requires a government agency leasing the land to be the contracting agency for the construction on the site. This requirement would impose an unreasonable burden on government agencies who act as passive landlords by obligating them to be bound by the terms of the construction contract for purely private purpose in which they have no interest or control, but for the fact it is situated on public land. This would effect every department that leases land and I think it's a very difficult burden that we would put on our State government. Therefore, I will be voting no."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2780, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Second Reading and was referred to the Committee on Finance with Representatives Marumoto, Meyer and Thielen voting no and with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita, Ito and Tsuji, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1304-08) recommending that S.B. No. 3215, SD 3, as amended in HD 1, pass Second Reading and 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 S.B. No. 3215, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita and Ito, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1305-08) recommending that S.B. No. 2034, as amended in HD 1, pass Second Reading and 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 S.B. No. 2034, HD 1, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Morita and Shimabukuro, for the Committee on Energy & Environmental Protection and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1306-08) recommending that S.B. No. 2933, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2933, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1307-08) recommending that S.B. No. 2192, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2192, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOLID WASTE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1308-08) recommending that S.B. No. 2630, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2630, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PETROLEUM INDUSTRY REPORTING," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce with

Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1309-08) recommending that S.B. No. 2849, SD 1, as amended in HD 1, pass Second Reading and be referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Second Reading and was referred jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1310-08) recommending that S.B. No. 2783, SD 2, as amended in HD 1, 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 S.B. No. 2783, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1311-08) recommending that S.B. No. 2864, SD 2, as amended in HD 1, 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 S.B. No. 2864, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1312-08) recommending that S.B. No. 3001, SD 2, as amended in HD 1, 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 S.B. No. 3001, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1313-08) recommending that S.B. No. 3016, SD 1, HD 1, as amended in HD 2, 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 S.B. No. 3016, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MUTUAL BENEFIT SOCIETIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1314-08) recommending that S.B. No. 3011, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3011, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1315-08) recommending that S.B. No. 2407, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2407, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISALS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1316-08) recommending that S.B. No. 2627, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2627, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COPPER PURCHASES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1317-08) recommending that S.B. No. 3166, pass Second Reading and 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 S.B. No. 3166, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Second Reading and was referred to the Committee on Economic Development & Business Concerns with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1318-08) recommending that S.B. No. 1891, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1891, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1319-08) recommending that S.B. No. 2170, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2170, SD 1, entitled: "A BILL FOR AN

ACT RELATING TO PUBLIC LAND," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1320-08) recommending that S.B. No. 2487, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2487, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1321-08) recommending that S.B. No. 2528, SD 2, pass Second Reading and 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 S.B. No. 2528, SD 2, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1322-08) recommending that S.B. No. 2198, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2198, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1323-08) recommending that S.B. No. 2646, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2646, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1324-08) recommending that S.B. No. 3075, SD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3075, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGIC INVESTIGATIONS," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1325-08) recommending that S.B. No. 1487, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1487, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Green and Chang, for the Committee on Health and the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1326-08) recommending that S.B. No. 2040, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2040, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," passed Second Reading and was referred to the Committee on Judiciary with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1327-08) recommending that S.B. No. 2831, SD 1, 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 S.B. No. 2831, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1328-08) recommending that S.B. No. 644, SD 3, HD 1, as amended in HD 2, 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 S.B. No. 644, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1329-08) recommending that S.B. No. 2843, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 2843, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1330-08) recommending that S.B. No. 2394, as amended in HD 1, pass Second Reading and 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 S.B. No. 2394, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1331-08) recommending that S.B. No. 2829, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 2829, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1332-08) recommending that S.B. No. 2891, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 2891, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1333-08) recommending that S.B. No. 1343, SD 1, HD 1, as amended in HD 2, 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 S.B. No. 1343, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PENAL CODE," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1334-08) recommending that S.B. No. 2004, SD 2, HD 1, as amended in HD 2, 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 S.B. No. 2004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1335-08) recommending that S.B. No. 2150, SD 2, as amended in HD 1, 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 S.B. No. 2150, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1336-08) recommending that S.B. No. 2196, SD 2, as amended in HD 1, 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 S.B. No. 2196, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1337-08) recommending that S.B. No. 2396, SD 1, HD 1, as amended in HD 2, 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 S.B. No. 2396, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1338-08) recommending that S.B. No. 2977, SD 1, HD 1, as amended in HD 2, 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 S.B. No. 2977, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1339-08) recommending that S.B. No. 1491, SD 1, HD 1, 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 S.B. No. 1491, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1340-08) recommending that S.B. No. 3051, SD 2, HD 1, 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 S.B. No. 3051, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1341-08) recommending that S.B. No. 2202, as amended in HD 1, pass Second Reading and 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 S.B. No. 2202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF

ELECTIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1342-08) recommending that S.B. No. 3019, SD 1, as amended in HD 1, pass Second Reading and 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 S.B. No. 3019, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1343-08) recommending that S.B. No. 711, as amended in HD 1, pass Second Reading and 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 S.B. No. 711, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1344-08) recommending that S.B. No. 3202, as amended in HD 1, pass Second Reading and 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 S.B. No. 3202, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1345-08) recommending that S.B. No. 3069, SD 2, as amended in HD 1, pass Second Reading and 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 S.B. No. 3069, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1346-08) recommending that S.B. No. 868, SD 2, pass Second Reading and 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 S.B. No. 868, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Second Reading and was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1347-08) recommending that S.B. No. 2824, SD 2, HD 1, 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 S.B. No. 2824, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1348-08) recommending that S.B. No. 2830, SD 2, HD 1, 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 S.B. No. 2830, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1349-08) recommending that S.B. No. 2845, SD 2, 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 S.B. No. 2845, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," was referred to the Committee on Finance with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1350-08) recommending that S.B. No. 2395, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2395, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters being excused.

ANNOUNCEMENTS

Representative Lee: "Mr. Speaker, just to remind everyone that at 1:30 we will present the baskets to IHS, so everyone is welcome to come. Again, thank you to everybody for your participation. Thank you."

Representative Meyer: "It's not an announcement, but maybe it's a challenge. I don't know when the Penny War is over, but I've got a whole bunch of pennies. So if you want to make sure I don't win, stop by my office."

Representative B. Oshiro: "I have another announcement. It is related to the Penny Wars. I must apologize to Representative Nishimoto, because unfortunately there's been a theft that has occurred in his office. I'm not sure if it was prank or not.

"But I would just like to let the thief know that it is theft in the Third Degree if it is an amount over $100. Otherwise it's theft in the Fourth Degree which is punishable as a petty misdemeanor. So I

would suggest that whoever took it, return it before we end up prosecuting. Thank you."

ADJOURNMENT

At 12:34 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, March 24, 2008. (Representatives Bertram, Manahan, Nakasone, Nishimoto, Sagum, Souki and Waters were excused.)

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:

S.B. Nos.	Re-referred to:
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;
2ND LT 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 Baliscao, 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 HAWAI‘I 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

THIRTY-EIGHTH DAY

Tuesday, March 25, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Pastor Rhys Kia'aina of Oahu Church of Christ, after which the Roll was called showing all members present with the exception of Representatives Har, Meyer, Morita, Nakasone, Takamine and Tokioka, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Seventh Day was deferred.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takai introduced members of the U.S. Pacific Command Joint Service Color Guard participating in the Hawaii Medal of Honor Ceremony:

Staff Sergeant Moreno,
Petty Officer Lamber,
Sergeant Silovich,
Petty Officer Webber,
Sergeant Sorrells,
Corporal Barton,
Sergeant Ashley,
Petty Officer Smith, and
Sergeant Harding.

Representative Pine introduced her husband, Navy Lieutenant Brian Ryglowski.

Representative Caldwell introduced Ms. Debbie Goodwin, Director of Advancement for the. Keck Observatory. She was accompanied by Mrs. Nike and Mr. David Speltz of Portsmith, New Hampshire, who are observatory supporters.

ORDER OF THE DAY

STANDING COMMITTEE REPORTS

Representatives Herkes and Green, for the Committee on Consumer Protection & Commerce and the Committee on Health presented a report (Stand. Com. Rep. No. 1376-08), recommending that H.C.R. No. 15, 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 Committees was adopted and H.C.R. No. 15, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was referred to the Committee on Legislative Management with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1377-08), recommending that H.C.R. No. 174, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 174, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING NA KUPUNA O WAIANAE TO CONVENE A TASK FORCE TO ADDRESS THE NEEDS OF NATIVE HAWAIIAN CHILDREN IN CHILD CUSTODY PROCEEDINGS," was referred to the Committee on Judiciary with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1378-08), recommending that H.R. No. 67, as amended in HD 1, 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. 67, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was referred to the Committee on Finance with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1379-08), recommending that H.C.R. No. 83, as amended in HD 1, 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. 83, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was referred to the Committee on Finance with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1380-08) recommending that H.R. No. 133, 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. 133, entitled: "HOUSE RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was adopted, with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1381-08) recommending that H.C.R. No. 160, 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. 160, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE FOURTH TUESDAY IN APRIL AS EQUAL PAY DAY IN HAWAII, AND URGING CONGRESS TO SUPPORT LEGISLATION TO PROVIDE MORE EFFECTIVE REMEDIES FOR VICTIMS OF WAGE DISCRIMINATION BASED ON GENDER," was adopted, with Representatives Har, Morita, Nakasone, Takamine and Tokioka being excused.

ANNOUNCEMENTS

Representative Chong: "Thank you, Mr. Speaker. I'd like to make an announcement. On Thursday, March 27 from 10 a.m. to 11 a.m.

the Clerk's Office will be having a Taste of the Clerk's Office. There will be hot dogs, soups, salads, cookies, pies by the slice and an assortment of delectable treats. All proceeds to benefit the Hawaii Foodbank.

"Also they will be having a silent auction of various hats made by the staff. I'm told that whoever buys these and wears these in this election is bound to win. So I'm told. I would just like to remind everybody of this event. Thank you."

Representative Ching: "Thank you. Tomorrow is Prince Kuhio Day. I just want to announce that it is Prince Kuhio Day and we're off tomorrow in memory of Prince Kuhio.

"I wanted to share a little bit. Prince Kuhio was Ke Alii Makaainana, known as Prince of the People or the Citizen Prince. And I'm sure as the Representative of Lanai and others of the Caucus who put on a beautiful Hawaiian Caucus Day know, he was responsible for the 1920 Hawaiian Lands Homelands Act. And he was also the one who resisted and tried to preserve things for his people.

"So when we enjoy tomorrow which is in honor of Prince Kuhio Kalanianaole, brother of Kawananakoa, I just wanted to remind everybody why we have this holiday. It is in honor of Prince Jonah Kuhio. Thank you."

Representative Lee: "Mr. Speaker, I just want to remind the members of Finance that we will be working tomorrow beginning at 10:00. Thank you."

At 12:19 o'clock p.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with House Concurrent Resolution No. 61, met in Joint Session with the Senate, for the Hawaii Medal of Honor Ceremony.

JOINT SESSION

The Joint Session of the House of Representatives and the Senate of the Twenty-Fourth Legislature was called to order at 1:59 o'clock p.m. by the Honorable Calvin K.Y. Say, Speaker of the House of Representatives.

The Speaker addressed the Chamber, stating:

"The Joint Session called pursuant to a Concurrent Resolution adopted by the members of the House and the members of the Senate is called to order.

"This is indeed a momentous occasion. We honor members of the Armed Forces of the United States, with ties to Hawaii, who fought and died bravely, in a combat zone designated by Presidential Order.

"On behalf of the Senate President and all the Members of the Hawaii State Legislature, I convey our deepest condolences to our very special guests – the family, friends and colleagues of loved ones, who have lost their lives overseas in the Middle East. Our prayers are with you, and we are honored by your presence here today.

"Please rise for the posting of colors by the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard, and remain standing for the singing of the National Anthem and Hawaii Pono'i by, United States Air Force Staff Sergeant Richard Vasquez, which will be followed by the invocation by Ms. Mahealani Wong and Lanakila of Na Wa'a Lalani Kahuna 'O Pu'u Kohola.

"Joint Service Color Guard and Royal Guard, please present the colors."

The members of the House, guests, and audience rose for the presentation of our Nation's and our State's Colors by the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard. The singing of the National Anthem and *Hawaii Pono'i* was led by United States Air Force Staff Sergeant Richard Vasquez, thereafter the invocation was delivered by Ms. Mahealani Wong and Ms. Lanakila Tuggle of Na Wa'a Lalani Kahuna 'O Pu'u Kohola.

The Speaker then addressed the Members, guests and audience as follows:

"Mahalo Joint Service Color Guard, Royal Guard, Staff Sergeant Vasquez and Ms. Wong. Your participation in today's ceremony is greatly appreciated.

"Honor. Loyalty. Duty. Courage. Simple words to most of us. But these words have gained greater meaning over the last several years to describe the qualities of a rare group of combatants, who are willing to face unimaginable challenges and perform the most difficult of wartime tasks. Combatants who, without hesitation, stand in harm's way to protect a nation, so that its people can live under the warmth of the blanket we all know as freedom.

"Throughout our history, Americans have always shown an unwavering resolve, especially in the wake of crisis and great personal tragedy. The loss of a loved one is always painful, but it is especially horrific when it happens on a battlefield, thousands of miles from home.

"Here, once again, we must call upon our inner strength to accept that our sons, our daughters, our mothers, our fathers, and our valued friends sacrificed their lives to allow the rest of us to live with freedom as our constant companion as we traverse though life.

"There is famous saying, "No greater love has a man, than to lay down his life for his friends." I'd like to take that a step further and say, "No greater love has a man, than to lay down his life for those he does not know."

"This year marks the third year since the Hawaii Medal of Honor was first presented. It is hoped that the Medal will convey our deepest appreciation to the military personnel, who made the ultimate sacrifice for our State and our nation.

"A sacrifice leaves an immeasurable void that a medal, admittedly, does not fill. We should not feel hollow from our loss. Rather, we should fill that emptiness with the knowledge that their courage has gifted us with a promise for a better and richer tomorrow.

"We must honor those brave men and women by carrying on as best as we can. We should exercise freedom whenever opportunity exists. Take personal pride in community and country. Speak the truth. And make choices that are reflective of strength of character and integrity. We have an obligation to meet the challenges of the 21st century, no matter how daunting the tasks may be.

"These are our duties. Duties that are not just empty words or promises. These duties will present adversity and require our perseverance. We must move forward, as they marched on for us. Live life to its fullest, to honor a life cut short by a conflict on a distant battle ground. Live honorably, so that these gallant men and women may not have died in vain. We all owe them this."

At this time, the Speaker of the House introduced the following dignitaries seated on the floor of the House:

The Honorable Linda Lingle, Governor of the State of Hawaii;

The Honorable James R. Aiona, Jr., Lieutenant Governor of the State of Hawaii;

Major General Robert G.F. Lee, the Adjutant General, Hawaii Department of Defense;

The Honorable Mazie K. Hirono, United States House of Representatives;

Colonel Retired Walter Kaneakua, representing the Honorable Daniel K. Inouye, United States Senator;

Mr. Kekoa Kaluhiwa, representing the Honorable Daniel K. Akaka, United States Senator;

Mr. Lloyd Nekoba, representing the Honorable Neil Abercrombie, United States House of Representatives;

Admiral Timothy Keating, Commander, United States Pacific Command, and Mrs. Wandalee Keating;

Lieutenant General Benjamin Mixon, Commanding General, United States Army Pacific, and Mrs. Rhonda Mixon;

Major General Vern Miyagi, Mobilization Assistant to the Commander, United States Pacific Command;

Major General Dana Atkins, representing the Pacific Air Forces;

Brigadier General Gary Ishikawa, Deputy Adjutant General, Hawaii Department of Defense;

Rear Admiral Townsend G. "Tim" Alexander, Commander, Navy Region Hawaii, and Mrs. Kathleen Alexander;

Brigadier General Robert Brown, Acting Commander, United States Army 25th Infantry Division;

Mrs. Holly Bednarek, wife of Brigadier General J. Michael Bednarek, 25th infantry Division Headquarters;

Lieutenant Colonel Steve Liszewski, representing United States Marine Corps and Marine Forces Pacific; and

Captain John J. Hickey, representing United States Coast Guard and the Fourteenth Coast Guard District.

The Speaker called upon the Honorable Linda Lingle to deliver her remarks as follows:

"Good afternoon and Aloha. Lt. Governor Aiona, Madame President, Mr. Speaker, all of the Legislators, Admiral Keating and all of our special guests, especially the family and friends of those we've come to honor. I'm filled today with both sadness and gratitude. Sadness for the loss of life. Grateful for the sacrifices that these individuals made; these very special people and what they gave to the rest of us.

"Last August, I attended a memorial service for the ten Schofield soldiers lost in a helicopter crash in Iraq. These ten brave men are among the 31 we honor today. At that time the service was full of very powerful emotions, profound grief and tremendous pain because of the loss. But there was also an incredible sense of pride and a sense of reverence for their sacrifice. And I know those same feelings are running through this Chamber today and through all of us.

"I want to focus today on honoring these 31 brave Americans. And I want to speak directly to the family and friends of these 31 patriots. First of all, on behalf of the people of Hawaii, I want you to know how thankful we are that you made the effort to be here with us today. Some of you came from around this Island of Oahu. Some of you came from the Neighbor Islands. And some of you came from locations very far away. But we are glad you could be here with us today for this tribute. Because sincerely, the people of Hawaii are so sorry for your loss.

"Today we honor the service and sacrifice of your loved ones who were defending democracy, and they were defending our way of life. Not just defending our country as a physical place, but our country as an ideal that people the world over just wish they could be a part of. We are fighting for the freedom of other people. People that we didn't even know, as the Speaker said, and there's nothing more noble that anyone can do than that. Our nation was created and continues to be strengthened because of remarkable individuals like these 31 who were willing to sacrifice for the rest of us.

"For those of you not from Hawaii, you may not know the very special place that the military plays in our lives here in Hawaii. Hawaii was so proud of your loved ones because for a short while perhaps, they were a part of our *ohana* here in Hawaii. Our family. Soldiers, Marines, Airmen, Sailors and Coastguardsmen are stationed here in Hawaii, they become a part of us and we embrace them as our own. And that's why it's so important for us to have you here to honor your loved ones with this State Medal of Honor. It is a small token of an enormous debt of gratitude that we know we can never repay. Like all of America's fallen heroes, these 31 are not truly gone.

"As poet Henry Wadsworth Longfellow wrote, "They are dead; but they live in each Patriot's breast, And their names are engraven on honor's bright crest." Mahalo and God Bless all of you and God Bless America."

The Speaker then called upon Major General Robert Lee to deliver his remarks on behalf of the military as follows:

"Thank you, Mr. Speaker. Good afternoon and Aloha. This war we are engaged in falls heavy upon all classes of people. But it falls most heavily upon the soldier. For it has been said, all that a man has, he will give his life. And while all contribute of their substance, a soldier puts his life at stake and often uses it for his country's cause. The highest merit then is due to the soldier. These words in a speech by President Abraham Lincoln 144 years ago this week and some five thousand miles away resonate through time and distance and have great meaning for us here today.

"The highest merit is indeed due to the soldiers which include the Marine, the Sailor, the Airman and Coastguardsman who puts his or her life on the line in service to our country. Thousands of Hawaii's sons and daughters have answered our nation's call in the war against terrorism. And as in previous generations they have endured the deprivations that only those who wear the uniform can understand. Extreme desert heat, the freezing mountain cold, the dust, the sweat, the monotony often followed by jolting adrenalin. But most of all the sacrifice of time away from families who will lament in missed birthdays, anniversaries, holidays and thousands of other daily events that could have been. From among those thousand who have answered the call, are 31 members of the United States Army, Marine Corp, Navy and Air Force with ties to Hawaii who have paid the ultimate price this past year.

"It's often said that soldiers fight, not for some high ideal or political objective, but for their buddies. Those who we honor today have clearly done so for an ideal enshrined in our Constitution. It is an ideal each swore to support and defend. It is an ideal to which each promised to be of true faith and allegiance. And it is an ideal that each thought worthy of defending. While they more than fulfilled their obligations that they owed to us, our only obligation today and everyday is to honor them.

"The State Medal of Honor is Hawaii's way to remember the ultimate sacrifice and to show our appreciation to their families and friends. We share their loss and to assure them they will always be a part of this State's *ohana*. The *kalo*, or taro leaves in the medal, is emblematic of the embrace of the people of Hawaii. Whether a fallen Soldier, Marine, Sailor or Airman grew up in Hawaii or were members of units based in Hawaii, they are still embraced as part of our *ohana*.

"Following American tradition, in past wars, a gold star was often displayed to let the neighborhood know that the life of a hero who had grown up there had been lost. Today the gold star in the medal coat of arms represents the 50th State on the American Flag, and also represents the person who is being honored today.

"The attachment device in the red and yellow ribbon is a rendering of the ancient *puela*, or flag, that the Hawaiians raised at sea above the sail of their canoes. All who saw the *puela* from afar knew that a person of the highest rank or honor was coming. Today this service ribbon and the *puela* will remind us that these families and friends are of the highest rank and honor.

"There is no greater sacrifice a family can make than the loss of their Soldier, Sailor, Marine, Airman or Coastguardsman while in service to our nation. And there is no greater honor the people of Hawaii can bestow upon them to symbolize the sacrifice. So to the families and friends of the fallen heroes, I humbly ask that you accept this Hawaii Medal of Honor on behalf of the people of Hawaii who today and forever shall be your devoted *ohana*. Mahalo and may God Bless all of you. And may God continue to bless the United States of America."

At this time, the Speaker of the House and the President of the Senate presented the Hawaii Medal of Honor. The Clerk of the House of Representatives announced the names of the Hawaii Medal of Honor recipients, which was followed by the ringing of the memorial bell.

United States Navy Lieutenant Commander Morgan C. Tulang.
Lieutenant Commander Tulang was 36. He was from Hilo, Hawaii and served with the US Central Command Deployment Distribution Operations Center in Kuwait City, Kuwait. Here to receive his medal are his parents, Mike and Julie Tulang of Hilo.

United States Army Sergeant Forrest D. Cauthorn.
Sergeant Cauthorn was 22. He was from Midlothian, Virginia and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his friend, Staff Sergeant Christopher J. Pearce.

United States Army Private First Class Jay S. Cajimat.
Private First Class Cajimat was 20. He was from Lahaina, Maui and served with the 2nd Battalion, 16th Infantry Regiment, 4th Infantry Brigade Combat Team, 1st Infantry Division from Fort Riley, Kansas. Here to receive his medal is his father, Dionie Cajimat.

United States Army Corporal Casey P. Zylman.
Corporal Zylman was 22. He was from Coleman, Michigan and served with the 3rd Squadron, 4th Cavalry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his friends, Sergeant First Class Jason Maki and Staff Sergeant Joshua Martin.

United States Army Chief Warrant Officer 2 Theodore U. Church.
Chief Warrant Officer Church was 32. He was from South Point, Ohio and served with with the 2nd Squadron, 6th Cavalry Regiment, 25th Combat Aviation Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his wife, Mindi Church, and his friend, Scott Brendel.

United States Army Sergeant Richard V. Correa.
Sergeant Correa was 25. He was from Honolulu, Hawaii and served with the 2nd Battalion, 14th Infantry Regiment, 2nd Brigade Combat Team, 10th Mountain Division from Fort Drum, New York. Here to receive his medal are his sister, Marietta Correa Acosta Myhre, and his brother-in-law, Kevin Myhre.

United States Air Force Senior Airman William N. Newman.
Senior Airman Newman was 23. He was from Kingston Springs, Tennessee and served with the 15th Civil Engineer Squadron from Hickam Air Force Base. Here to receive his medal is his wife, Soyong Newman.

United States Army Sergeant Derek T. Roberts.
Sergeant Roberts was 24. He was from Gold River, California and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his mother, Willy Roberts and brother, Trevor Roberts.

United States Marine Corps Lance Corporal Robert A. Lynch.
Lance Corporal Lynch was 20. He was from Louisville, Kentucky and served with the 1st Battalion, 12th Marine Regiment, 3rd Marine Division, III Marine Expeditionary Force from Marine Corps Base Hawaii. Here to receive his medal is his mother, Angela Robinson.

United States Army Specialist Tyler R. Seideman.
Specialist Seideman was 20. He was from Lincoln, Arkansas and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his mother, Lee Ann Seideman.

United States Army Corporal Nathan C. Hubbard.
Corporal Hubbard was 21. He was from Clovis, California and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his parents, Jeff and Peggy Hubbard.

United States Army Corporal Joshua S. Harmon.
Corporal Harmon was 20. He was from Mentor, Ohio and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his wife, Kristin Harmon.

United States Army Corporal Phillip J. Brodnick.
Corporal Brodnick was 25. He was from New Lenox, Illinois and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his mother, Marian Stockhausen, and his sister, Lisa Brodnick.

United States Army Sergeant Garrett I. McLead.
Sergeant McLead was 23. He was from Rockport, Texas and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his parents, Patrick and Patti McLead.

United States Army Staff Sergeant Jason L. Paton.
Staff Sergeant Paton was 25. He was from Poway, California and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his mother, Kim Bilbrey, and stepfather, Jim Valenzuela.

United States Army Captain Derek A. Dobogai.
Captain Dobogai was 26. He was from Fond du Lac, Wisconsin and served with the 2nd Battalion, 35th Infantry Regiment, 3rd Brigade, 25th Infantry Division from Schofield Barracks. Here to receive his medal are his friends, Captain Ron Jillard and Captain Mike McCave.

United States Army Sergeant Alexander U. Gagalac.
Sergeant Gagalac was 28. He was from Wahiawa, Hawaii and served with the 2nd Battalion, 27th Infantry Regiment, 3rd Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his twin brother, Sergeant Alexis Gagalac.

United States Army Private First Class Casey P. Mason.

Private First Class Mason was 22. He was from Lake, Michigan and served with the 728th Military Police Battalion, 8th Military Police Brigade, 8th Theater Sustainment Command, from Schofield Barracks. Here to receive his medal are his commanders and friends, Colonel Scott Jones and Command Sergeant Major Freddie Brock.

United States Navy Petty Officer First Class Victor W. Jeffries.
Petty Officer Jeffries was 52. He was from Honolulu, Hawaii and served with the Navy Expeditionary Logistics Support Group in Kuwait. A Navy Reservist on his third mobilization in five years, he was also a physical education teacher and coach at Farrington High School. Here to receive his medal is his wife, Elizabeth Aguirre-Jeffries.

United States Army Sergeant Jon M. Schoolcraft III.
Specialist Schoolcraft was 26. He was from Wapakoneta, Ohio and served with the 1st Battalion, 27th Infantry Regiment, 2nd Stryker Brigade Combat Team, 25th Infantry Division from Schofield Barracks. Here to receive his medal is his wife, Amber Schoolcraft.

The Clerk of the Senate proceeded to read the names of the other Hawaii Medal of Honor recipients whose friends and family could not be at the ceremony today:

United States Air Force Airman First Class Carl Jerome Ware, Jr.

United States Marine Corps Major Douglas A. Zembiec

United States Army First Lieutenant Keith N. Heidtman

United States Army Specialist Farid Elazzouzi

United States Army Specialist Val J. Borm

United States Army First Lieutenant Frank B. Walkup, IV

United States Army Sergeant Michael J. Montpetit

United States Army Specialist Jessy G. Pollard

United States Army Specialist Michael A. Hook

United States Army Corporal Jeremy P. Bouffard

United States Navy Hospital Corpsman Third Class Mark R. Cannon

At this time, Members of the United States Air Force proceeded with a 21-gun Salute and the playing of Taps outside the House Chamber in the Capitol Rotunda which was followed by a moment of silence.

President Hanabusa gave her closing remarks as follows:

"As a citizen of this great land, born with the freedom to speak, to believe and to dream, free to express personal thoughts without fear of recrimination or reprisal, to protest and participate in government, I am thankful to be a part of this ceremony in honor of our fallen heroes.

"In protecting all we treasure, in defending all we hold dear, and in preserving those values which distinguish us as proud Americans, no man and no woman stands sentry alone. We stand as a nation and a community, beside them in spirit and with them in a shared commitment.

"And just as surely as we will not see them stand alone, we will not allow them to fall alone. We stand together in their name, by pausing to reflect on the unshakable duty and unquenchable bravery that have marked their passage among us. We share the pride of countrymen, and share the tears of brothers, sisters, mothers, fathers and friends.

"Today, we recognize and honor heroes. We gather to award the Hawaii Medal of Honor as an expression of our immeasurable gratitude for the sacrifice of these courageous individuals.

"In reflecting on another day marked with great bravery and great sacrifice, Shakespeare wrote, "This story shall the good man teach his son." We owe no less a duty to out honorees and to future generations. These names and deeds shall remain etched in our State's shared history. And we will each say to a companion, young or old, at a moment of great pride or great sadness, "I have heard a story of brave Americans."

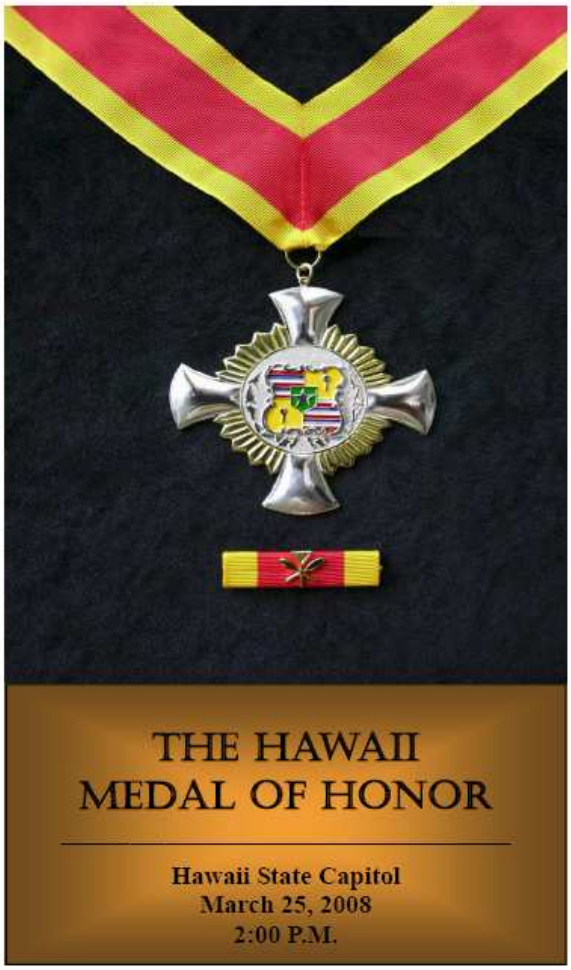
"A grateful state best honors and remembers the sacrifices of those who have served out nation by living our lives in the deepest appreciation of our freedom. That is what they defended. That is what they fought for and died for.

"Today we remember, in moments of quiet reflection, each and every one of these heroes. We stand united to honor their memory and express our profound gratitude for their ultimate sacrifice. On behalf of the State of Hawaii, we say, Mahalo."

The President of the Senate then called on the Joint Service Color Guard and the Hawaii Air National Guard, Royal Guard for the retiring of the Colors, and at 2:53 o'clock p.m., declared the Joint Session of the House of Representatives and the Senate adjourned.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, March 27, 2008.



JOINT SESSION OF
THE HAWAII STATE LEGISLATURE
HOUSE CHAMBER
MARCH 25, 2008 * 2:00 P.M.

HAWAII MEDAL OF HONOR
PROGRAM

Call to Order	House Speaker Calvin K.Y. Say
Posting of the Colors	Joint Service Color Guard Hawaii Air National Guard Royal Guard
National Anthem & Hawaii Pono`i	United States Air Force SSgt Richard Vasquez
Invocation	Mrs. Mahealani Wong Na Wa`a Lalani Kahuna `O Pu`u Koholā
Welcome & Introduction of Guests	House Speaker Calvin K.Y. Say
Governor's Message	Governor Linda Lingle
Military Address	Major General Robert G.F. Lee
Hawaii Medal of Honor Presentation	House Speaker Calvin K.Y. Say Senate President Colleen Hanabusa Governor Linda Lingle Major General Robert G.F. Lee
Presentation of Certificates	U.S. Congresswoman Mazie K. Hirono Lieutenant Governor James R. Aiona Jr. Representative Cindy Evans Senator Lorraine R. Inouye
Rendering of Honors	United States Navy
21-Gun Salute	United States Air Force
Taps	United States Navy
Closing Remarks	Senate President Colleen Hanabusa
Retiring of the Colors	

From House Bill 8, designated as Act 21,
Session Laws of Hawaii 2005:

"The purpose of this Act is to provide for a Hawaii Medal of Honor that would help express the deep appreciation and gratitude of the People of Hawaii to the loved ones of members of the military who sacrificed their lives in defense of our nation and its freedoms."

Symbolism of the Hawaii Medal of Honor

The Hawaii Medal of Honor was designed by Sergeant First Class Aaron Pollick from the Hawaii Army National Guard. This medal consists of the following six components, superimposed on each other:

Circle of Kalo Leaves: The kalo leaves represent the family or Ohana. The leaves are designed in an encircled fashion and represents the concept of Ohana, which we strive to embrace.

Coat of Arms: The Great Shield is the keystone of the design. The eight bars represent the eight major islands of the State of Hawaii. The kapu sticks, or Pulo‘ulo‘u, symbolize authority and protection. The star in the center of the medallion is the Star of Hawaii, the 50th star on the flag of the United States. This star also represents the honorees of this prestigious award.

Maltese Cross: The Maltese Cross represents the four directional axes of the globe, denoting Hawaii as the Crossroads of the Pacific.

Sun Rays: The irradiant sun is symbolic of the new era. Its position in the center of the Maltese Cross represents our sunny shores and warm hearts ever shining on all the corners of the world.

The Neck Drape: The neck drape is red and golden yellow in color. These colors symbolize the royal monarchy that once ruled these islands. The red represents courage and strength. The golden yellow depicts the honor that the recipients have brought to our islands.

Service Ribbon & Attachment: The service ribbon represents distinguished service. Its colors are identical to the colors of the neck drape. The attachment device at the middle of the ribbon is an ancient flag or puela of Hawaiian Chiefs. In olden times, the puela was raised above the sail of the ancient Hawaiians' canoes while at sea. Our puela signifies that the person receiving this medal is of high rank or honor.

Acknowledgements

Patricia A. Mau-Shimizu, House Chief Clerk & her staff
Carol Taniguchi, Senate Chief Clerk & her staff
Kevin R. Kuroda, House Sergeant-at-Arms & his staff
Ben Villaflor, Senate Sergeant-at-Arms & his staff
Linda Luli Nakasone Oamilda, House Majority Staff Office & her staff
Dennis Fujii, United States Pacific Command
Leighton Siu, Governor's Protocol Office
Kole M. Miller, Chief of Protocol, 25th Infantry Division
Jane Loftis, United States Army
CPT George M. Keller, United States Army
Sgt Edgar E. Dogan, United States Marine Corps
Grace R. Hew Len & Eleanor Sade, Navy Region Hawaii
Minnie O. Lanier, United States Air Force
Sergeant First Class Aaron R. Pollick
Kent Untermann & Valerie Wang, Pictures Plus
Rose Lee, Rose Lee's Alterations
Ty & Cindy Tamanaha, Awardline
Brady Pilster & Richard Goodman, Symbol Arts
Pearl Harbor Historic Sites
Hale Koa Hotel
Polynesian Cultural Center
Hawaii Restaurant Association
Hawaii Hotel Association
Hawaii Tourism Association
Aloha Diners Club
Capitol TV
Girl Scouts of Hawaii
Micah Young
Lori Tamashiro & Lani Sonan, Cake Creations Dessert Haven, LLC
Accel Party Rentals & Designs

Planning Committee:
Senate President Colleen Hanabusa
Senator Lorraine R. Inouye
House Speaker Calvin K.Y. Say
Representative Cindy Evans
Representative K. Mark Takai
Major General Robert G.F. Lee
Lisa Vargas

Special Acknowledgement:
Representative K. Mark Takai and Ms. Lisa Vargas for their unwavering commitment to honor these families and tireless efforts to ensure that each designated medal is received by the intended family.

Other Acknowledgements:

Invocation:
Mrs. Mahealani Wong & Ms. Victoria Lanakila Tuggle
Na Wa'a Lalani Kahuna 'O Pu'u Koholā

Singer:
United States Air Force SSgt Richard Vasquez

Joint Service Color Guard:
Sgt Danny Sorrells - Marine Rifle
SSG Larry Moreno - National Colors
SGT Tina Silovich - Army Flag
Sgt Bradley Harding - Marine Flag
SK2 Monday Smith - Navy Flag
SSgt Rakeem Ashley - Air Force Flag
DC2 John Weber - Coast Guard Flag
Cpl Jeremy Barton - Marine Rifle
YN2 Marlynna Lambert - Photographer

Hawaii Air National Guard Royal Guard:
Kakiana Hao Darrell J. Bactad
Kakiana Ekahi Maui Quizon
Kopala Prescott Looney
Koa Robert Lee

United States Air Force Honor Guard Firing Detail:
MSgt Marcus W. Della Sala (NCOIC)
TSgt Isidro Tabion
SSgt Troy Agustin
SSgt Tyron Jones
SrA Joshua Robinson
SrA Stephen Shiveley
SrA Donald Rochin
A1C Travis Morrison

Buglers:
MU3 Ivan Boshkovich
MU3 Bryan Parmann

Bell Ringer:
CTRSN Bobby Thompson

Photographers:
SFC Wayne Iha
SFC Curtis Matsushige
POC - MAJ Charles Anthony

THIRTY-NINTH DAY

Thursday, March 27, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mr. Cody-Allen Sakotani Ching of Representative Bob Nakasone's Office, after which the Roll was called showing all members present with the exception of Representatives Ching, Nakasone, M. Oshiro, Pine and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 281 through 283) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 281, dated March 19, 2008, transmitting the Hawaii Housing Finance and Development Corporation's 2007 Annual Report as required by Section 201H-21, Hawaii Revised Statutes.

Gov. Msg. No. 282, informing the House that on March 25, 2008, the following bill was signed into law:

H.B. No. 3037, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY, SEWER, REFUSE, AND INSURANCE PREMIUM PAYMENTS." (ACT 002)

Gov. Msg. No. 283, informing the House that on March 25, 2008, the following bill was signed into law:

H.B. No. 3038, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION FOR ELECTRICITY PAYMENTS STATEWIDE." (ACT 003)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 377 through 387) were received and announced by the Clerk:

Sen. Com. No. 377, transmitting H.B. No. 2138, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 378, transmitting H.B. No. 2169, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 379, transmitting H.B. No. 2391, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL SERVICE," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 380, transmitting H.B. No. 2656, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 381, transmitting H.B. No. 2974, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 382, transmitting H.B. No. 3080, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES," which passed Third Reading in the Senate on March 25, 2008.

Sen. Com. No. 383, transmitting S.C.R. No. 72, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONDUCT A FEASIBILITY STUDY TO EXAMINE VARIOUS IMPACTS OF A LONGER SCHOOL DAY AND INCREASING THE NUMBER OF DAYS IN THE SCHOOL YEAR ON KINDERGARTEN THROUGH GRADE TWELVE STUDENTS," which was adopted by the Senate on March 25, 2008.

Sen. Com. No. 384, transmitting S.C.R. No. 74, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP GUIDELINES TO REDUCE THE TRUANCY RATE IN THE PUBLIC SCHOOL SYSTEM," which was adopted by the Senate on March 25, 2008.

Sen. Com. No. 385, transmitting S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE FEASIBILITY OF REMOVING ENROLLMENT CAPS AT CAMPUSES WITHIN THE UNIVERSITY OF HAWAII SYSTEM," which was adopted by the Senate on March 25, 2008.

Sen. Com. No. 386, transmitting S.C.R. No. 84, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE HAWAII PUBLIC SCHOOL FOOD SERVICE TO DEVELOP NUTRITIONALLY-SOUND PUBLIC SCHOOL MENU PLANS THAT INCLUDE VEGETARIAN AND VEGAN MEALS," which was adopted by the Senate on March 25, 2008.

Sen. Com. No. 387, transmitting S.C.R. No. 113, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EDUCATIONAL WORKFORCE WORKING GROUP TO CONTINUE ITS WORK TO PLAN AND IMPLEMENT THE RECOMMENDATIONS PROPOSED IN ITS 2007 REPORT TO THE LEGISLATURE," which was adopted by the Senate on March 25, 2008.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Karamatsu introduced members of our agricultural community participating in today's Ag Sustainability Day:

Hawaii Farm Bureau – Mr. Dean Okimoto and Mr. Alan Takemoto;
Hawaii Food Industry Association – Mr. Glenn Muranaka and Mr. Derek Kurisu;
Hawaii Food Manufacturers Association – Ms. Katie Anderson and Mr. John Tsukada;
Hawaii Department of Agriculture – Ms. Sandra Kunimoto;
UH College of Tropical Agriculture and Human Resources – Mr. Wayne Nishijima; and
Maui County Farm Bureau – Mr. Warren Watanabe.

Representative Yamane also recognized Mr. Glenn Muranaka of Meadow Gold Dairies and introduced their staff, Ms. Jill Chiang, Mr. Layne Kaita, Mr. Darrel Tajima, and Ms. Denise Sasaki.

Representative Takai introduced his nieces, Miss Ashlyn and Miss Hailey Takai; his daughter Miss Kaila Takai; and his mother, Mrs. Naomi Takai.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
45, SD1	Committee on Judiciary
2840, SD2	Committee on Finance

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1382-08), recommending that H.R. No. 154, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 154, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT OF 1982," was referred to the Committee on Judiciary with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1383-08), recommending that H.C.R. No. 181, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 181, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT OF 1982," was referred to the Committee on Judiciary with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1384-08), recommending that H.R. No. 107, 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.R. No. 107, entitled: "HOUSE RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was referred to the Committee on Legislative Management with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1385-08), recommending that H.C.R. No. 125, 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. 125, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was referred to the Committee on Legislative Management with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1386-08), recommending that H.C.R. No. 172, 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. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S PUNCHBOWL HOMES FACILITY," was referred to the Committee on Legislative Management with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1387-08), recommending that H.C.R. No. 150, 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. 150, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ESTABLISHMENT OF A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF AND HARD OF HEARING INDIVIDUALS," was referred to the Committee on Legislative Management with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1388-08), recommending that H.R. No. 98, 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. 98, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1389-08), recommending that H.C.R. No. 115, 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. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1390-08), recommending that H.R. No. 190, 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. 190, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1391-08), recommending that H.C.R. No. 223, 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. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1392-08), recommending that H.R. No. 191, 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. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1393-08), recommending that H.C.R. No. 224, 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. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1394-08), recommending that H.R. No. 145, 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. 145, entitled: "HOUSE RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE ADVANTAGES AND DISADVANTAGES OF ADOPTING THE ENGLISH MARINE INSURANCE ACT, 1906," was referred to the Committee on Consumer Protection & Commerce with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1395-08), recommending that H.C.R. No. 171, 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. 171, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE INSURANCE COMMISSIONER TO STUDY THE ADVANTAGES AND DISADVANTAGES OF ADOPTING THE ENGLISH MARINE INSURANCE ACT, 1906," was referred to the Committee on Consumer Protection & Commerce with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 1396-08), recommending that H.R. No. 192, as amended in HD 1, 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. 192, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representatives Green and Takumi, for the Committee on Health and the Committee on Education presented a report (Stand. Com. Rep. No. 1397-08), recommending that H.C.R. No. 225, as amended in HD 1, 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. 225, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representatives Takumi and Souki, for the Committee on Education and the Committee on Transportation presented a report (Stand. Com. Rep. No. 1398-08), recommending that H.C.R. No. 59, as amended in HD 1, 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. 59, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO EVALUATE THE STATE'S DRIVER EDUCATION PROGRAM AND ITS FUNDING," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1399-08), recommending that H.R. No. 62, as amended in HD 1, 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. 62, HD 1, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO ONLY PURCHASE OR LEASE LARGE SCHOOL BUSES THAT HAVE AN OPERABLE SEAT BELT ASSEMBLY AT ALL

DESIGNATED SEATING POSITIONS AND SEAT BACKS THAT ARE AT LEAST TWENTY-FOUR INCHES IN HEIGHT," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1400-08), recommending that H.C.R. No. 71, as amended in HD 1, 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. 71, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ONLY PURCHASE OR LEASE LARGE SCHOOL BUSES THAT HAVE AN OPERABLE SEAT BELT ASSEMBLY AT ALL DESIGNATED SEATING POSITIONS AND SEAT BACKS THAT ARE AT LEAST TWENTY-FOUR INCHES IN HEIGHT," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1401-08), recommending that H.R. No. 104, as amended in HD 1, 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. 104, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A PLAN TO PROVIDE CURRENT PUBLIC SCHOOL ADMINISTRATORS AND FACULTY WITH COURSES IN HAWAIIAN LANGUAGE AND CULTURE INSTRUCTION, AND TO INCORPORATE THESE COURSES INTO THE DEPARTMENT'S PREFERENCES FOR EMPLOYMENT AND CONDITIONS FOR TEACHER LICENSURE," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1402-08), recommending that H.C.R. No. 122, as amended in HD 1, 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. 122, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO DEVELOP A PLAN TO PROVIDE CURRENT PUBLIC SCHOOL ADMINISTRATORS AND FACULTY WITH COURSES IN HAWAIIAN LANGUAGE AND CULTURE INSTRUCTION, AND TO INCORPORATE THESE COURSES INTO THE DEPARTMENT'S PREFERENCES FOR EMPLOYMENT AND CONDITIONS FOR TEACHER LICENSURE," was referred to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1403-08), recommending that H.R. No. 118, be referred to the Committee on Finance; and

(Stand. Com. Rep. No. 1404-08), recommending that H.C.R. No. 137, be referred to the Committee on Finance.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 118 and H.C.R. No. 137, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. In support of Stand. Com. Nos. 1403 and 1404, HR 18 and HCR 137. I wish to put into the record that the Korean Veterans have spent many, many years taking care of the Korean and Vietnam War Memorial that's here on the Capitol grounds. They are getting very old and they really would like to not have to continue to do that because they are just getting older.

"The other thing they have brought to our attention is that there is a lot of homelessness, a lot of needles, and a lot of trash and garbage that they find. They've said that over the last few years it's been getting worse and worse. So that is why we have this Resolution today and hopefully our Sheriff's Department and our Department of Accounting and General Services will take really good care of that Memorial.

"Again, I just want to thank the Korean Veterans for all they've done for us over these last years taking care of that memorial. Thank you."

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, I wish the words of the previous speaker to be entered as my own, as a Vietnam Veteran, with great appreciation. And Mr. Speaker, it seems as though that because of it's location it seems to attract some people who sleep overnight. I won't say that they are homeless, but it tends to be an area that if you didn't have those individuals, you may not need this. But now it's in dire need, as the speaker from the Big Island mentioned. 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. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused; and

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1405-08), recommending that H.C.R. No. 72, 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. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE A STATE AGENCY TO DEVELOP A STATEWIDE LAND USE STRATEGY TO MITIGATE POTENTIAL HAZARDS CAUSED BY CATASTROPHIC DISASTERS," was referred to the Committee on Consumer Protection & Commerce with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1406-08), recommending that H.R. No. 209, 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. 209, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1407-08), recommending that H.C.R. No. 247, 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. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1408-08), recommending that H.R. No. 178, 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. 178, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF DEFENSE TO WORK IN COLLABORATION WITH UNITED SERVICE ORGANIZATIONS HAWAII AND ALL INVOLVED MILITARY SERVICES TO REVIEW THE ADEQUACY OF UNITED SERVICES ORGANIZATION'S FACILITIES LOCATED AT HONOLULU INTERNATIONAL AIRPORT," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1409-08), recommending that H.C.R. No. 210, 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. 210, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION AND DEPARTMENT OF DEFENSE TO WORK IN COLLABORATION WITH UNITED SERVICE ORGANIZATIONS HAWAII AND ALL INVOLVED MILITARY SERVICES TO REVIEW THE ADEQUACY OF UNITED SERVICES ORGANIZATION'S FACILITIES LOCATED AT HONOLULU INTERNATIONAL AIRPORT," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1410-08), recommending that H.R. No. 297, 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. 297, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1411-08), recommending that H.C.R. No. 361, 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. 361, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was referred to the Committee on Finance with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1412-08) recommending that H.R. No. 28, 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. 28, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY TO ADDRESS MAJOR CONCERNS ALONG KALIHI STREET," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1413-08) recommending that H.C.R. No. 28, 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. 28, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY TO ADDRESS MAJOR CONCERNS ALONG KALIHI STREET," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1414-08) recommending that H.R. No. 73, 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. 73, entitled: "HOUSE RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI STREET," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1415-08) recommending that H.C.R. No. 91, 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. 91, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CITY AND COUNTY OF HONOLULU TO CONDUCT A FEASIBILITY STUDY FOR THE REPAIR AND REPAVING OF SIDE STREETS ALONG KALIHI

STREET," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1416-08) recommending that H.R. No. 108, 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. 108, HD 1, entitled: "HOUSE RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH AN INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1417-08) recommending that H.C.R. No. 126, 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. 126, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO ESTABLISH AN INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1418-08) recommending that H.R. No. 19, 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. 19, entitled: "HOUSE RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO EXEMPT CHILDREN OF FILIPINO WORLD WAR II VETERANS FROM IMMIGRANT VISA LIMITS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1419-08) recommending that H.C.R. No. 19, 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. 19, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION TO EXEMPT CHILDREN OF FILIPINO WORLD WAR II VETERANS FROM IMMIGRANT VISA LIMITS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1420-08) recommending that H.R. No. 71, 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. 71, entitled: "HOUSE RESOLUTION STRONGLY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO CONFER PRIORITY STATUS TO CHILDREN BORN TO DEPARTMENT OF DEFENSE PERSONNEL AND FOREIGN WOMEN DURING AND UP TO NINE MONTHS AFTER DEPLOYMENT IN ORDER TO FACILITATE AND EXPEDITE THE IMMIGRATION OF THESE CHILDREN AND WOMEN TO THE UNITED STATES," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1421-08) recommending that H.C.R. No. 87, 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. 87, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE PRESIDENT OF THE UNITED STATES AND THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO CONFER PRIORITY STATUS TO CHILDREN BORN TO DEPARTMENT OF DEFENSE PERSONNEL AND FOREIGN WOMEN DURING AND UP TO NINE MONTHS AFTER DEPLOYMENT IN ORDER TO FACILITATE AND EXPEDITE THE IMMIGRATION OF THESE CHILDREN AND WOMEN TO THE UNITED STATES," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1422-08) recommending that H.R. No. 97, be adopted; and

(Stand. Com. Rep. No. 1423-08) recommending that H.C.R. No. 114, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 97 and H.C.R. No. 114, be adopted, seconded by Representative B. Oshiro.

Representative Awana rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in strong support. Growth continues on the Waianae Coast. During times of natural disasters or hurricanes, one of the first, if not the first action that takes place is to close the only roadway that physically connects us to the outside world. Now you have two options. First, locate your nearest shelter; and second, head for the mountains and find your own shelter.

"The existing emergency shelters are not sufficient. I believe that this measure is a simple request. Civilian use of the Lualualei Naval Magazine takes a common sense approach to a complex situation. There are three different entrances from the Waianae side of the Magazine which would assist those living in Waianae, Lualualei, Maili and Nanakuli. It is centrally located and entrances are easily accessible. Now that most if not all of the ammunition has been relocated, we should seriously look at reinventing this extremely important site for civilian use during times of emergency.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 97, entitled: "HOUSE RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused; and

H.C.R. No. 114, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY

SHELTER FOR CIVILIANS," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1424-08) recommending that H.R. No. 163, 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. 163, entitled: "HOUSE RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU UNDER THEIR JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1425-08) recommending that H.C.R. No. 194, 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. 194, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU UNDER THEIR JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented two reports:

(Stand. Com. Rep. No. 1426-08) recommending that H.R. No. 88, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1427-08) recommending that H.C.R. No. 106, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 88, HD 1, and H.C.R. No. 106, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. No. 1426. I know it's only a plan, but to have prisoners not be able to smoke, I think is a bit harsh. And I think if we have equity in that if we have other people by 2011 stop smoking, I think then it's fair. This is a group of individuals who are troubled. They are in a troubled incarcerated situation. To say that there is no smoking, I think is a bit above the board of which otherwise inhumane treatment would be given. And with that I have reservations."

Representative Brower rose to speak in support of both measures, stating:

"Mr. Speaker, in strong support. Thank you. We have a situation now in correctional facilities where prison guards have to light the cigarettes of inmates because inmates can't have matches or cigarette lighters. And some of these guards light anywhere from 50 to 100 cigarettes per shift. And the prison guards are telling us in news reports on TV that the inmates are purposely blowing the smoke back into their faces and they feel degraded.

"I've been following this bill. I that it has some good initiatives and one is to offer a program to help the inmates or anyone incarcerated quit smoking. Currently, we have a no smoking policy in our State prisons, but not at OCCC. I had the chance to visit there and see all the smoking that is going on. And I think what's important about this measure is that it brings up an interesting question.

"Currently we don't have smoking in State facilities. We don't have smoking in restaurants and other private sector businesses. Soon we may not have smoking on the beaches. And without this measure, the only legal place to smoke may be in prisons. So I think that just calls an interesting question to our society. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 88, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO DEVELOP A PLAN FOR A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES BY 2011," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused; and

H.C.R. No. 106, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF PUBLIC SAFETY AND DEPARTMENT OF HUMAN SERVICES TO DEVELOP A PLAN FOR A COMPLETE BAN ON SMOKING IN ALL STATE CORRECTIONAL FACILITIES BY 2011," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1428-08) recommending that S.C.R. No. 47, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 47, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNITED STATES POSTAL SERVICE TO COMMEMORATE THE HONORABLE SERVICE OF THE U.S. NAVY'S F-14 TOMCAT IN DEFENDING FREEDOM," was adopted, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine 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 Ching, Nakasone, M. Oshiro, Pine, Saiki and Takamine were excused.)

STANDING COMMITTEE REPORTS

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1429-08) recommending that S.B. No. 1035, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1035, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY COMMEMORATION," passed Third Reading by a vote of 44 ayes, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki, Takamine and Takumi being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1430-08) recommending that S.B. No. 2441, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2441, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2441, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," passed Third Reading by a vote of 44 ayes, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki, Takamine and Takumi being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1431-08) recommending that S.B. No. 2849, SD 1, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2849, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'd like to register my reservations on Stand. Com. Report No. 1431. And in this Mr. Speaker, there are two concerns that I have. One is that we need to be very careful about keeping a balance between the desire to increase Hawaii's agricultural base as a renewable energy resource, and food production. Those of us who have a chance to visit the Agricultural Day exhibits on the Fourth Floor, you know how important it is to keep land in rural agricultural production.

"The second thing that was brought up was by the Department of Planning and Permitting of the City and County of Honolulu. It was concerned that this ten percent of land should have to go through the special permit process to allow for discretionary review. And the reason that would happen is that if you allow ten percent of your agricultural land to be devoted to agricultural energy facilities, you can create buffering, visual, traffic safety and other issues. And therefore a special permit process can address those things and make sure that the land use is done appropriately. So I do have those concerns. I would ask Members look at this as they go into Conference on it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2849, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Third Reading by a vote of 44 ayes, with Representatives Ching, Nakasone, M. Oshiro, Pine, Saiki, Takamine and Takumi being excused.

At 12:26 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1035, SD 1, HD 1
S.B. No. 2441, HD 1
S.B. No. 2849, SD 1, HD 1

At 12:26 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:30 o'clock p.m.

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 322) was announced by the Clerk and the following action taken:

H.R. No. 322, entitled: "HOUSE RESOLUTION CONGRATULATING MITCHELL OTANI AS HAWAII'S 2007 NATIONAL DISTINGUISHED PRINCIPAL; DR. JOHN BRUMMEL AS HAWAII'S NOMINEE FOR NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS AND METLIFE NATIONAL PRINCIPAL OF THE YEAR; AND AINA HAINA ELEMENTARY SCHOOL, ALA WAI ELEMENTARY SCHOOL, AND HOLUALOA ELEMENTARY SCHOOL AS THE 2008 BLUE RIBBON SCHOOLS OF THE STATE OF HAWAII," was jointly offered by Representatives Takumi, Berg, Nishimoto and Green.

Representative Takumi moved that H.R. No. 322 be adopted, seconded by Representative Berg.

Representative Takumi recognized the role and importance of the Principals to the excellence of their schools and its community, and the honor and achievement of the schools named as Blue Ribbon Schools.

Representative Berg then introduced the honorees seated on the floor of the House:

Mr. Mitchell Otani, Principal of Kaneohe Elementary School and Hawaii's 2007 National Distinguished Principal;

Dr. John Brummel, Principal of Mililani High School and Hawaii's nominee for the National Association of Secondary School Principals and MetLife National Principal of the Year; and

Mr. Norman Pang, Principal of Holomua Elementary School and the 2007 Masayuki Tokioka Excellence in School Leadership Awardee.

Representative Berg also introduced Hawaii's 2008 Blue Ribbon Schools:

Aina Haina Elementary School represented by Principal, Ms. Susan Okano;

Ala Wai Elementary School represented by Principal, Ms. Charlotte Unni; and

Holualoa Elementary School represented by Principal, Ms. Lauren O'Leary.

Representative Takumi then introduced the Superintendent of the Department of Education, Ms. Patricia Hamamoto; and recognized all the educators seated in the gallery.

Representative Berg then recognized the many staff and community members of Aina Haina Elementary School who were seated in the gallery:

Justin Mew, former Principal of Aina Haina Elementary School;
Paul Bernstein, School Community Council Vice Chair;
Naomi Chow, SCC Parent;
Ann Kwock, SCC Parent;
Greg Belnap, SCC Teacher;
Candace Foster, SCC Teacher;
Shawn Nakamura, SCC Teacher;
Agnes Abdul, SCC Staff;
Melissa Balada, SCC Student Council President;
Evelyn Awai, SCC Student Council 1st Vice President;
Liz Hamasu, PTA Parent;
LiAnn Shigemi, Student Services Coordinator;
Deborah Ramirez, Teacher;
Eddie Baladad, Parent;
Harumi Balada, Parent;
Toby Baladad, Student; and
Keila Baladad, Student.

Representative Marumoto further recognized the achievements of Aina Haina Elementary School and their Principal, Ms. Susan Okano.

The motion was put to vote by the Chair and carried, and H.R. No. 322 was adopted with Representatives Belatti, Ching, Nakasone, M. Oshiro, Pine, Saiki, Takamine, Wakai and Waters being excused.

The following resolution (H.R. No. 323) was announced by the Clerk and the following action taken:

H.R. No. 323, entitled: "HOUSE RESOLUTION CONGRATULATING THE PEARL CITY LITTLE LEAGUE JUNIORS FOR WINNING THE 2007 JUNIOR LEAGUE BASEBALL WORLD SERIES CHAMPIONSHIP," was jointly offered by Representatives Takai and Takumi.

Representative Takai moved that H.R. No. 323 be adopted, seconded by Representative Takumi.

Representative Takai congratulated the 2007 Junior League World Series Little League Baseball Champions from Pearl City.

Representative Takumi then introduced the team members representing the Champions who were seated on the floor of the House:

Mr. Mitch Yamato, Team Manager;
Mr. Kahana Neal, Pitcher;
Mr. Chase Numata, Pitcher; and
Isaac Shim, Catcher.

Representative Takumi also recognized the other team members and family who were seated in the gallery:

Team Members
Mikey Uehara;
Brycen Kometani;
Kory Nakamura;
Keanu Sato;
Kainalu Chmolack;
Chevas Numata;
Shayne Kurihara;
Christian Perkins;
Sumi Pruett; and
Brennan Doane-Alcos.

The motion was put to vote by the Chair and carried, and H.R. No. 323 was adopted with Representatives Belatti, Ching, Nakasone, M. Oshiro, Pine, Saiki, Takamine, Wakai and Waters being excused.

At 12:47 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:56 o'clock p.m.

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Carroll introduced participants of the Ka Ipu Kukui Fellows, a Decisions Maui and Focus Maui Nui initiative:

Alika Atay, Maui Economic Opportunity, Inc.;
Sunny Cabello, Maui Community College;
Rhiannon Chandler, Community Work Day Program;
Sheri Daniels, Child & Family Services;
Alexander DeRoode, Sustainable Living Institute of Maui;
Yarrow Flower, Maui Land & Pine Co.;
Cesar Gaxiola, J. Walter Cameron Center;
Jim Hooper, Grand Wailea Resort Hotel & Spa;
Ken Ota, Irrigation System Inc.;
Kalani Schmidt, Maui Land & Pine Co.;
Jennifer Stites, Dowling Company, Inc.;
Lance Terada, Maui High Performance Computing Center; and
Lianne Yoshida, Maui High Performance Computing Center.

Representative Nishimoto introduced members of the Ala Wai School Community Council and their supporters:

Estelle Wong -Kaimuki Kalani Complex Area Superintendent;

School Community Council Members:
Mindy Scordilis, SCC Chairperson and parent;
Dr. Aiko Oda, Community member;
Lucy Tea, parent;
Sandra Ribeiro, parent;
Betsy Itoga, teacher, Curriculum Coordinator;
Fanny Yee, teacher;
Nancy Teruya, teacher; and
Angeliki Scordilis, student.

ANNOUNCEMENT

Representative Green: "Thank you, Mr. Speaker. A little bit of an unconventional announcement. As everyone is well aware, there have been eruptions at Kilauea and I wanted to alert people to communicate with their communities. What I've been seeing in the emergency department is a profound change over the last eight years to included work in both Pahala, right down wind of the volcano, and also on the other side of the island in Kohala.

"This year very, very significant changes are occurring. I'm seeing a lot more people with severe reactions to the vog. Severe enough that we've even actually seen some of this in our Chambers. Many of us have been affected with upper respiratory infections and extra difficulty breathing. I think we are getting good information from the Department of Health, but I think that it's going to be imperative in the coming weeks that we communicate with our communities, especially with those that have chronic lung conditions to take extra precautions. Thank you, Mr. Speaker."

ADJOURNMENT

At 1:00 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 28, 2008. (Representatives Belatti, Ching, Herkes, Ito, Nakasone, M. Oshiro, Pine, Saiki, Takamine, Wakai and Waters were excused.)

FORTIETH DAY

Friday, March 28, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Lyla B. Berg, Ph.D., after which the Roll was called showing all members present with the exception of Representatives Cabanilla, Finnegan, Magaoay, McKelvey, Nakasone, M. Oshiro, Pine and Thielen, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Thirty-Ninth Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 388 through 394) were received and announced by the Clerk:

Sen. Com. No. 388, transmitting S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ISSUE A REQUEST FOR PROPOSALS TO FORM A PUBLIC/PRIVATE PARTNERSHIP TO RENOVATE THE STATE'S PUBLIC HOUSING INVENTORY," which was adopted by the Senate on March 27, 2008.

Sen. Com. No. 389, transmitting S.C.R. No. 63, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE PURPLE RIBBON AND PURPLE ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," which was adopted by the Senate on March 27, 2008.

Sen. Com. No. 390, transmitting S.C.R. No. 78, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING FEDERAL FINANCIAL ASSISTANCE FOR PERSONS PRESENT IN THE UNITED STATES UNDER THE COMPACTS OF FREE ASSOCIATION," which was adopted by the Senate on March 27, 2008.

Sen. Com. No. 391, informing the House that the Senate has disagreed to the amendments proposed by the House on the following Senate Bills:

S.B. No. 2748, SD 1, HD 1
S.B. No. 2827, SD 1, HD 1

Sen. Com. No. 392, transmitting H.B. No. 1832, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," which passed Third Reading in the Senate on March 27, 2008.

Sen. Com. No. 393, transmitting H.B. No. 2492, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," which passed Third Reading in the Senate on March 27, 2008.

Sen. Com. No. 394, transmitting H.B. No. 2954, S.D. 1, entitled: "A BILL FOR AN ACT RELATED TO TOWING," which passed Third Reading in the Senate on March 27, 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 Finnegan, Magaoay, McKelvey, Nakasone, M. Oshiro, Pine and Thielen were excused.)

H.B. No. 1832, HD 1, SD 1 H.B. No. 2954, SD 1
H.B. No. 2492, HD 1, SD 1

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Evans introduced students of the Kamehameha Schools Extension Education Services, Kamehameha Scholars Program from Kauai, Oahu, and West Hawaii.

Kauai: Seanne Andrade, Felicia Bernaldes, Aarika-Lei Camara, Raevyn-Simone Ibia, June Kaohelaulii, Desiree Pia, and Brittnee Tangalin.

Oahu: Polulani Arsiga, Kayla Chang, Bryson Ching, Rienice Chow, Roanne Deabler, Rachel-Jean Factora, Danielle Gano, Brandi Hughes, Kaiulani Kaalekahi, Jenzen Kaleopa'a, Krystal-Anne Kea, Jaclyn Lee, Chandellaine Lima, Tiara Lima, Isaiah Pavo, Anthony James Pratt, Leila Prevo, Mia Prevo, Teil Ruis, Megan Saito, Kerry Stein, Alysia Thompson, A'Jah Valdez, and Solomon Wong-McKee.

West Hawaii: Christopher Apina, Dane DeMello, Zane DeMello, Tyler Deniz, Ualani Fernandez, Gaudens Girbisi, Sarah Harrison, Conrad Iranon, Brandon Kaupu, Quinn Kunitomo, Kelson Kupukaa, Nicolette Low, Lincoln Medeiros-Torres, Jamelia Paio, Michael Suber, and Bridget Teixeira.

Representative Mizuno introduced his cousin from Maui, Mr. Charles Takahashi and his friend, Mr. Irvin Yamada. They were accompanied by Mr. Edgar Fernandez of Representative Mizuno's staff.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
72, SD1	Jointly to the Committee on Education and the Committee on Labor & Public Employment, then to the Committee on Finance
74, SD1	Committee on Education, then to the Committee on Finance
75	Committee on Higher Education, then to the Committee on Finance
84, SD1	Committee on Health, then to the Committee on Education
113	Jointly to the Committee on Labor & Public Employment and the Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:

350 Jointly to the Committee on Energy & Environmental Protection and the Committee on Judiciary

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
933, SD1	Committee on Finance
3048, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 324) was announced by the Clerk and the following action taken:

H.R. No. 324, entitled: "HOUSE RESOLUTION CONGRATULATING PASCALE PINNER AS THE 2008 HAWAII STATE TEACHER OF THE YEAR, AND CORI LEI CHONG, DAVID ARAKAKI, SHARI TAKAHASHI, SUZANNE CUMMINGS, LEIGHTON NAKAMOTO, AND KEVIN MATSUNAGA AS THE 2008 HAWAII STATE DISTRICT TEACHERS OF THE YEAR," was jointly offered by Representatives Takumi, Awana, Berg, Carroll, Chang, Chong, Green, Herkes, Lee, Manahan, Morita, Nishimoto, Tokioka, Yamane, Yamashita and Wakai.

Representative Takumi moved that H.R. No. 324 be adopted, seconded by Representative Berg.

Representative Takumi congratulated and introduced 2008 Hawaii State Teacher of the Year, Ms. Pascale Pinner of Hilo Intermediate School, who was seated on the floor of the House.

Representative Berg congratulated and introduced the following 2008 Hawaii State District Teachers of the Year honorees, who were seated on the floor of the House:

Mrs. Cori Lei Chong of Kaewai Elementary School, 2008 Honolulu District Teacher of the Year;

Mr. David Arakaki of Moanalua Middle Scchol, 2008 Central District Teacher of the Year;

Mrs. Shari Takahashi of Nanaikapono Elementary School, 2008 Leeward District Teacher of the Year;

Ms. Suzanne Cummings of Kailua High School, 2008 Windward District Teacher of the Year; and

Mr. Kevin Matsunaga of Chiefess Kamakahelei Middle School, 2008 Kauai District Teacher of the Year.

Representative Berg then recognized Mr. Leighton Nakamoto of Kalama Intermediate School, 2008 Maui District Teacher of the Year, who was not in attendance.

Representative Takumi then introduced the following guests of the honorees, who were seated in the gallery:

Mrs. Pascale Pinner
Mr. Dean Pinner

Mrs. Cori Lei Chong
Mr. Ryan Chong

Mr. David Arakaki
Mrs. Lani Arakaki

Ms. Shari Takahashi
Mr. Haruaki Ishii
Mrs. Ruby Ishii
Ms. Sandy Ishii

Ms. Suzanne Cummings
Mr. Robert Tangonan
Mrs. Sandra Tangonan
Ms. Helen Uyehara

Representative Takumi also introduced Department of Education Superintendent, Ms. Patricia Hamamoto.

Representative Ching further recognized the contributions of teachers.

The motion was put to vote by the Chair and carried, and H.R. No. 324 was adopted with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Takai and Thielen being excused.

The following resolution (H.R. No. 325) was announced by the Clerk and the following action taken:

H.R. No. 325, entitled: "HOUSE RESOLUTION COMMENDING BRIAN KAJIYAMA AS A ROLE MODEL AND AN INSPIRATION TO ALL WHO FACE CHALLENGES," was offered by Representative Ward.

Representative Ward moved that H.R. No. 325 be adopted, seconded by Representative Mizuno.

Representative Ward commended and introduced Mr. Brian Kajiyama, accompanied by his parents, Mr. Bert and Mrs. Grace Kajiyama; and grandfather, Mr. Haruo Kajiyama, who were seated on the floor of the House.

Representative Mizuno further recognized Mr. Brian Kajiyama for his role in aiding the University of Hawaii football team and for his public service.

The motion was put to vote by the Chair and carried, and H.R. No. 325 was adopted with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

At 12:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1432-08), recommending that H.R. No. 119, as amended in HD 1, 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. 119, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1433-08), recommending that H.C.R.

No. 138, as amended in HD 1, 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. 138, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Evans and Herkes, for the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1434-08), recommending that H.R. No. 298, as amended in HD 1, 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. 298, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS IN JEOPARDY OF LOSING THEIR PROPERTY DUE TO COSTS ASSOCIATED WITH RECOVERING FROM NATURAL OR MAN-MADE DISASTERS," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Evans and Herkes, for the Committee on Public Safety & Military Affairs and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1435-08), recommending that H.C.R. No. 362, as amended in HD 1, 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. 362, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS IN JEOPARDY OF LOSING THEIR PROPERTY DUE TO COSTS ASSOCIATED WITH RECOVERING FROM NATURAL OR MAN-MADE DISASTERS," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1436-08), recommending that H.R. No. 269, as amended in HD 1, 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. 269, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was referred to the Committee on Higher Education with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1437-08), recommending that H.C.R. No. 325, as amended in HD 1, 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. 325, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was referred to the Committee on Higher Education with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1438-08), recommending that H.R. No. 252, 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. 252, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1439-08), recommending that H.C.R. No. 302, 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. 302, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1440-08), recommending that H.C.R. No. 306, as amended in HD 1, 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. 306, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A TEMPORARY HAWAII SUSTAINABLE INTERISLAND TRANSPORTATION TASK FORCE," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1441-08), recommending that H.R. No. 293, 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. 293, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1442-08), recommending that H.C.R. No. 356, 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. 356, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1443-08), recommending that H.R. No. 294, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 294, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was referred to the Committee on Higher Education with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Yamashita and Tsuji, for the Committee on Economic Development & Business Concerns and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1444-08), recommending that H.C.R. No. 357, be referred to the Committee on Higher Education.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 357, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER AGRICULTURAL PRODUCTS PROCESSING FACILITY OR FACILITIES," was referred to the Committee on Higher Education with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1445-08), recommending that H.R. No. 85, 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. 85, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was referred to the Committee on Economic Development & Business Concerns with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1446-08), recommending that H.C.R. No. 103, 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. 103, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was referred to the Committee on Economic Development & Business Concerns with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1447-08), recommending that H.R. No. 86, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 86, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE SECRETARY OF HOMELAND SECURITY TO INCLUDE THE REPUBLIC OF KOREA IN THE VISA WAIVER PROGRAM," was referred to the Committee on Tourism & Culture with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1448-08), recommending that H.C.R. No. 104, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 104, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE SECRETARY OF HOMELAND SECURITY TO INCLUDE THE REPUBLIC OF KOREA IN THE VISA WAIVER PROGRAM," was referred to the Committee on Tourism & Culture with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1449-08), recommending that H.R. No. 96, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 96, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was referred to the Committee on Tourism & Culture with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1450-08), recommending that H.C.R. No. 113, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 113, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was referred to the Committee on Tourism & Culture with

Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Tsuji and Evans, for the Committee on Agriculture and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1451-08), recommending that H.R. No. 221, as amended in HD 1, 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. 221, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAII COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Tsuji and Evans, for the Committee on Agriculture and the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1452-08), recommending that H.C.R. No. 260, as amended in HD 1, 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. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAII COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1453-08), recommending that H.R. No. 158, be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 158, entitled: "HOUSE RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was referred to the Committee on Public Safety & Military Affairs with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1454-08), recommending that H.C.R. No. 188, be referred to the Committee on Public Safety & Military 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. 188, entitled: "HOUSE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was referred to the Committee on Public Safety & Military Affairs with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1455-08), recommending that H.C.R. No. 76, 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. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY TO DEVELOP A STRATEGY TO FULLY TRANSITION ITS FACILITY TO RENEWABLE ENERGY," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1456-08), recommending that H.R. No. 198, as amended in HD 1, 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. 198, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING FEDERAL TAX INCENTIVES TO ENCOURAGE THE USE OF RENEWABLE ENERGY SOURCES," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1457-08), recommending that H.C.R. No. 235, as amended in HD 1, 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. 235, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL TAX INCENTIVES TO ENCOURAGE THE USE OF RENEWABLE ENERGY SOURCES," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1458-08), recommending that H.C.R. No. 167, 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. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was referred to the Committee on Legislative Management with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1459-08), recommending that H.R. No. 205, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 205, entitled: "HOUSE RESOLUTION URGING THE HAWAII CONGRESSIONAL DELEGATION TO OPPOSE THE PATENT REFORM ACT," was referred to the

Committee on Judiciary with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1460-08), recommending that H.R. No. 100, 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. 100, entitled: "HOUSE RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1461-08), recommending that H.C.R. No. 118, 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 Committees was adopted and H.C.R. No. 118, entitled: "HOUSE CONCURRENT RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," was referred to the Committee on Consumer Protection & Commerce with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1462-08), recommending that H.C.R. No. 149, as amended in HD 1, 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. 149, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ISSUE A REQUEST FOR PROPOSALS TO FORM A PUBLIC AND THE PRIVATE PARTNERSHIP TO RENOVATE THE STATE'S PUBLIC HOUSING INVENTORY," was referred to the Committee on Finance with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine, Sagum and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1463-08) recommending that H.R. No. 126, 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. 126, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1464-08) recommending that H.C.R. No. 147, 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. 147, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1465-08) recommending that H.R. No. 250, 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. 250, entitled: "HOUSE RESOLUTION ENCOURAGING THE COUNTIES TO IMPLEMENT THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S DESIGN GUIDANCE DOCUMENT ON INTEGRATING BICYCLING AND WALKING WHEN BUILDING THEIR TRANSPORTATION INFRASTRUCTURE IN ORDER FOR ALL HAWAII RESIDENTS WHO CHOOSE TO WALK OR BICYCLE TO DO SO SAFELY AND EFFICIENTLY," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1466-08) recommending that H.C.R. No. 300, 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. 300, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE COUNTIES TO IMPLEMENT THE UNITED STATES DEPARTMENT OF TRANSPORTATION'S DESIGN GUIDANCE DOCUMENT ON INTEGRATING BICYCLING AND WALKING WHEN BUILDING THEIR TRANSPORTATION INFRASTRUCTURE IN ORDER FOR ALL HAWAII RESIDENTS WHO CHOOSE TO WALK OR BICYCLE TO DO SO SAFELY AND EFFICIENTLY," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1467-08) recommending that H.R. No. 203, 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. 203, HD 1, entitled: "HOUSE RESOLUTION URGING THE GOVERNOR TO DESIGNATE THE MONTH OF SEPTEMBER AS "BRAIN ANEURYSM AWARENESS MONTH"," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1468-08) recommending that H.C.R. No. 240, 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. 240, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DESIGNATE THE MONTH OF SEPTEMBER AS "BRAIN ANEURYSM AWARENESS MONTH"," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1469-08) recommending that H.R. No. 258, 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. 258, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO USE THE AUTHORITY GRANTED TO THEM UNDER SECTION 342D-70, HAWAII REVISED STATUTES, AND ADOPT AND IMPLEMENT STANDARDS FOR THE REUSE OF RESIDENTIAL GRAY WATER FOR SUBSURFACE LANDSCAPE IRRIGATION," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1470-08) recommending that H.C.R. No. 310, 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. 310, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO USE THE AUTHORITY GRANTED TO THEM UNDER SECTION 342D-70, HAWAII REVISED STATUTES, AND ADOPT AND IMPLEMENT STANDARDS FOR THE REUSE OF RESIDENTIAL GRAY WATER FOR SUBSURFACE LANDSCAPE IRRIGATION," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1471-08) recommending that H.R. No. 182, 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. 182, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1472-08) recommending that H.C.R. No. 215, 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. 215, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CREATE A REDEVELOPMENT MASTER PLAN FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," was adopted, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1473-08) recommending that S.B. No. 1809, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1809, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1474-08) recommending that S.B. No. 2402, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2402, SD 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

Representatives Yamane and Yamashita, for the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1475-08) recommending that S.B. No. 2434, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2434, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Second Reading, and was placed on the calendar for Third Reading with Representative Marumoto voting no, and with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen were excused.)

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1476-08) recommending that S.B. No. 3027, SD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3027, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY," passed Third Reading by a vote of 45 ayes, with Representatives Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen being excused.

At 12:54 o'clock p.m., the Chair noted that S.B. No. 3027, SD 2, passed Third Reading.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1477-08) recommending that S.B. No. 3166, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1477-08 on S.B. No. 3166, HD 1 was deferred and in accordance

with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3166, HD 1, were made available to the members of the House.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1478-08) recommending that S.B. No. 2464, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1478-08 on S.B. No. 2464, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2464, HD 1, were made available to the members of the House.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1479-08) recommending that S.B. No. 2584, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1479-08 on S.B. No. 2584, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2584, SD 2, HD 1, were made available to the members of the House.

ANNOUNCEMENTS

Representative Takai: "Thank you, Mr. Speaker. With your permission, I'd like to acknowledge some of the people that participated and assisted with the ceremony on Tuesday.

"Thank you, Mr. Speaker. First of all, thank you for giving me the opportunity to once again coordinate the Hawaii Medal of Honor ceremony, as well as the preparations prior. But it took many, many people and I'd like to acknowledge the people who made all this happen.

"I'd first like to thank all of our staff here and in the Senate. House Chief Clerk Pat Mau-Shimizu and her staff; Senate Chief Clerk Carol Taniguchi and her staff; House Sergeant-at-Arms Kevin Kuroda and his staff; Senate Sergeant-at-Arms Ben Villaflor and his staff; and Linda Oamilda, House Majority Staff Office and her staff.

"We did get a lot of support and assistance from the military. And I would like to recognize Dennis Fujii from the US Pacific Command, who helped us with coordinating the ceremony participants, and Leighton Siu from the Governor's office, who helped us with protocol.

"I also wanted to mention some individuals who helped us throughout the year in identifying the people that we recognized on Tuesday. From the Army, we had Jane Loftis from USARPAC; Kole Miller, Chief of Protocol from the 25th Infantry; and Captain George M. Keller, also from the 25th Infantry. From the Navy, we had Grace Hew Len and Eleanor Sade. From the Air Force, we had Minnie Lanier. And from the Marines, we had Sergeant Edgar E. Dogan.

"In addition Mr. Speaker, as all of you noticed, the Medal itself is beautiful and I wanted to acknowledge Sergeant First Class Aaron Pollick from the Hawaii National Guard who came up with the initial design that has come to symbolize each servicemember we honor.

"But with that, a lot of other people participated, and I wanted to acknowledge Brady Pilster and Richard Goodman from Symbol Arts who minted the Medal. We had Kent Untermann and Valerie Wang from Pictures Plus who did the assembly and framing. Rose Lee from Rose Lee's Alterations who helped with the sewing of the ribbons. And Ty and Cindy Tamanaha from Awardline who helped us with the plaques.

"In addition Mr. Speaker, I would like to acknowledge those who help us enrich the experiences for the families who traveled here to attend this event. We worked very closely with the Pearl Harbor Historic Sites, the Bowfin, the Missouri, the Arizona and the Pacific Aviation Museum, and they came through with support for the families. The Hale Koa Hotel and the Polynesian Cultural Center also came through, and we worked specifically with the Hawaii Hotel Association to provide discounted hotel rates at participating hotels for the honoree families. All of these organizations and entities helped us as we helped the families make this a special visit to Hawaii.

"We also had a beautiful reception following the ceremony. I wanted to thank Ms. Pat Mau-Shimizu and her staff, and especially Micah Young from Representative Sylvia Luke's office for coordinating this effort. A big mahalo also goes to Senator Inouye's staff, Representative Evans' staff, Representative Har's staff, Representative McKelvey's staff, Representative Sonson's staff, Senator Tsutsui's staff, and Senator Espero's staff for their assistance with the reception. In addition, Grace Kawano and the Girl Scout Council of Hawaii for their gift of Girl Scout cookies distributed to not only the families being honored, but to all of us.

"Many people were asking about the 'Olelo Broadcast and I wanted to make mention once again, Mr. Speaker, that Capitol TV will be graciously providing a DVD for each family, both present and not present, as well as to each of us.

"Mr. Speaker, I wanted to recognize the Planning Committee. Senate President Colleen Hanabusa, you Mr. Speaker, Senator Lorraine Inouye, and Representative Cindy Evans. In addition, we got support from Major General Robert Lee and Colonel Retired Emerick Kaneshi from the State Department of Defense.

"Mr. Speaker, we all know as Representatives that much of our success and the things that we do in this Chamber, as well as in our communities, are the direct result of our staff. And I wanted to at this time acknowledge the staff from Senate President Hanabusa's office, your office Mr. Speaker, Senator Inouye's office and Representative Cindy Evan's office. And from my staff in particular, I wanted to recognize Marnelli Joy Basilio and Torano Harris.

"And finally Mr. Speaker, as I did last year and the year prior, I want to thank Lisa Vargas, my office manager. As I said before, our staff makes us what we are, and they do much of the work we do here at the Capitol. Lisa Vargas, on behalf of all of us, helped to make this year's ceremony, as well as the last two years, exceptional ceremonies and a good representation of what the State of Hawaii has to offer. This has become an ongoing project over the last three years and Lisa continues to work with the military throughout the year to identify servicemembers and contact every single family we have had the privilege to honor and award the Hawaii Medal of Honor.

"This Medal went and continues to go to families with Hawaii ties. So far, as of February 1, 2008, a total of 217 Medals have been awarded. Unfortunately, however, the list of honorees continues on and Hawaii will continue to honor the sacrifices of the fallen.

"So Mr. Speaker, at this time I'd like to ask the Members of this body to once again thank all of the people involved in the planning and preparation of Tuesday's activities. Thank you, Mr. Speaker. Can we all give them a hand?"

Representative Ward: "Mr. Speaker, could we give Representative Mark Takai a round of applause for what he did in all the planning and implementation. A job well done.

"Mr. Speaker, as we are giving kudos and thank yous, I would be remiss if I didn't think that this morning's ceremony, a very moving ceremony commemorating the 65th anniversary of the 442nd in the Lt. Governor's office, to thank Representative Marumoto, Representative Mizuno, Representatives Wakai, Ito, Yamane and

others who had relatives in the 442nd who spoke of the spirit and strength of what they did.

"Fortunately, the Kajiyamas came early and had a chance to participate. They were very inspired by that. Because I think he would do for the disabled what the 442nd did for the honor of the community here. Thank you, Mr. Speaker."

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, Monday, March 31, 2008. (Representatives Chang, Finnegan, Magaoay, McKelvey, Nakasone, Pine and Thielen were excused.)

HOUSE COMMUNICATION

House Communication dated March 28, 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. 1832, HD 1, SD 1
H.B. No. 2492, HD 1, SD 1
H.B. No. 2954, SD 1

FORTY-FIRST DAY

Monday, March 31, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Reverend Dr. Ieti Mageo of Pearl Harbor Samoan Assembly of God, after which the Roll was called showing all members present with the exception of Representatives Chang, McKelvey, Nakasone and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fortieth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 284) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 284, dated March 28, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 395 through 411) were received and announced by the Clerk:

Sen. Com. No. 395, transmitting S.C.R. No. 5, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE ALL BELIEVERS NETWORK TO ESTABLISH THE STATEWIDE INTERFAITH STEERING COMMITTEE TO EXPLORE THE POSSIBILITY OF ORGANIZING A MAJOR INTERNATIONAL INTERFAITH CONFERENCE IN HAWAII TO TAKE PLACE BY 2011," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 396, transmitting S.C.R. No. 33, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO CONTINUE THEIR WORK ON THE LONG TERM LIVING INITIATIVE," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 397, transmitting S.C.R. No. 51, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 398, transmitting S.C.R. No. 83, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 399, transmitting S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 400, transmitting S.C.R. No. 106, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND THE DEPARTMENT OF HUMAN SERVICES CONVENE A WORKING STUDY GROUP TO CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 401, transmitting S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 402, transmitting S.C.R. No. 109, entitled: "SENATE CONCURRENT RESOLUTION STRONGLY SUPPORTING THE PASSAGE AND ENACTMENT INTO LAW OF S. 1315, THE VETERANS BENEFITS ENHANCEMENT ACT OF 2007, IN SUPPORT OF FILIPINO VETERANS," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 403, transmitting S.C.R. No. 110, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO JOINTLY STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 404, transmitting S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE CURRICULAR MATERIALS THAT REFLECT THE HAWAII STANDARDS TO ASSIST A TEACHER WHO HAS TO TEMPORARILY TEACH IN AN AREA WHERE THE TEACHER IS NOT HIGHLY QUALIFIED," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 405, transmitting S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 406, transmitting S.C.R. No. 121, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TEACHING STRATEGIES FOR SPEAKERS OF HAWAI‘I PIDGIN IN HAWAI‘I PUBLIC SCHOOLS," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 407, transmitting S.C.R. No. 158, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PURSUE A FINANCING AGREEMENT FOR THE CONSTRUCTION OF THE NEW KIHEI HIGH SCHOOL ON MAUI AND TO CONSIDER A DESIGN-BUILD APPROACH FOR THE SCHOOL," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 408, transmitting S.C.R. No. 180, entitled: "SENATE 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," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 409, transmitting S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I TO REPORT ON HIGHER EDUCATION STUDENT FINANCIAL ASSISTANCE COMMISSIONS," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 410, transmitting S.C.R. No. 220, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONTINUING PROJECT GRADUATION TRAINING THROUGH DRIVER EDUCATION UNDERWRITERS' FEES AS PART OF TRAFFIC SAFETY EDUCATION," which was adopted by the Senate on March 28, 2008.

Sen. Com. No. 411, transmitting H.B. No. 2428, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS," which passed Third Reading in the Senate on March 28, 2008.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 70) was received by the Clerk and was placed on file:

Dept. Com. No. 70, dated March 26, 2008, from Clyde Namu'o, Administrator, Office of Hawaiian Affairs, and Mark J. Bennett, Attorney General, Department of the Attorney General, transmitting the Report to the Legislature Concerning SCR 49.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Cabanilla introduced caregivers from foster homes, care home operators, case managers, and their clients.

Representative Manahan introduced 3rd, 4th and 5th graders from Kalihi Waena Elementary School Student Government, accompanied by Mr. Michael Kawamoto and Mrs. Judy Chong Nakamura.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
61	Committee on Human Services & Housing, then to the Committee on Finance
63, SD1	Committee on Human Services & Housing
78	Jointly to the Committee on International Affairs and the Committee on Human Services & Housing

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
91	Committee on International Affairs
296	Committee on Judiciary, then to the Committee on Finance
308	Committee on Finance

H.C.R. Nos.	Re-referred to:
109	Committee on International Affairs
360	Committee on Judiciary, then to the Committee on Finance
372	Committee on Finance

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
2055, SD2, HD1	Committee on Human Services & Housing, then to the Committee on Finance
2341, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
2365, SD1	Committee on Finance
2818, SD2	Committee on Human Services & Housing, then to the Committee on Finance

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 326) was announced by the Clerk and the following action taken:

H.R. No. 326, entitled: "HOUSE RESOLUTION COMMENDING THE KAPIOLANI WOMEN'S CENTER, ON BOARD FOR A CURE, AND THE IWALANI FOUNDATION FOR BREAST CANCER FOR THEIR DEDICATION TO BREAST CANCER PREVENTION AND THE HEALTH AND WELL-BEING OF THE WOMEN OF HAWAII," was offered by Representative Har.

Representative Har moved that H.R. No. 326 be adopted, seconded by Representative Lee.

Representative Har recognized the work of the Kapiolani Medical Center and the On Board for a Cure program in cancer education, early detection and prevention.

Representative Lee recognized the work of the Iwalani Foundation and founder, Ms. Iwalani Tseu in educating women about breast cancer.

Representative Har then introduced the honorees seated on the floor of the House:

Ms. Iwalani Tseu, breast cancer survivor and founder of the Iwalani Foundation; and

Ms. Kathleen Larson, founder and Executive Producer of On Board for a Cure.

Representative Har also commended the work of the Kapiolani Medical Center and recognized Ms. Claire Tong and Mr. Kevin Chong who were not in attendance.

Representative Har then recognized Mr. Charlie Garrett, Executive Assistant with On Board for a Cure; and Ms. Diana Hough, a nurse with the Tripler Hospital working with the Iwalani Foundation who were seated in the gallery.

The motion was put to vote by the Chair and carried, and H.R. No. 326 was adopted with Representatives McKelvey, Nakasone, Saiki and Takai being excused.

The following resolution (H.R. No. 327) was announced by the Clerk and the following action taken:

H.R. No. 327, entitled: "HOUSE RESOLUTION RECOGNIZING AND CONGRATULATING THE MEMBERS OF THE LEILEHUA HIGH SCHOOL MULES VARSITY FOOTBALL TEAM ON WINNING THE 2007 DIVISION I HAWAII HIGH SCHOOL ATHLETIC ASSOCIATION STATE FOOTBALL CHAMPIONSHIP," was jointly offered by Representatives M. Oshiro, Belatti, Chong, Green, Hanohano, Herkes, Lee, Luke, Mizuno, Nishimoto, B. Oshiro, Sagum, Sonson, Souki, Tsuji, Waters, Yamashita and Saiki.

Representative M. Oshiro moved that H.R. No. 327 be adopted, seconded by Representative Lee.

Representative M. Oshiro congratulated the 2007 Division I Hawaii High School Athletic Association Football State Champions – the Leilehua High School Mules Varsity Football Team and introduced the coach and seniors seated on the floor of the House:

Head Coach - Nolan Tokuda,
Defensive Lineman - Haani Aitaoto,
Offensive Lineman - Raymond Cartwright,
Defensive Lineman - Christian Collado,
Linebacker - Josh Cruz,
Defensive Lineman - Kaumu Delos Santos,
Quarterback/Slot Back - Kaipo DeRego,
Offensive Lineman - Jordan Jenks,
Defensive Back - Sean Kenigton,
Linebacker - Art Laurel,
Slot Back - Zaire Macapagal,
Defensive Lineman - Melchor Moises,
Defensive Line - Kyle Ontiveros,
Defensive Lineman - Gerald O'Reilly,
Offensive Lineman - Keala Pascua,
Running Back - Bronson Pausa,
Offensive Lineman - Josh Quinn,
Defensive Lineman - Joe Ruane,
Linebacker - Robert Siavii, and
Running Back - Joedee Taua.

Representative M. Oshiro then introduced the underclassmen of the team, coaching staff and family who were seated in the gallery:

Team Members: Chase Acohido, Kamana Akagi, Allan Deguzman-Pacheco, Edieson Dumlao, Blaine Edra, Garrison Garma, Garett Maki, Andrew Manley, Genesis Ponce, Alex Ruiz, Sione Sami, Ronald Santos, Greg Tialavea, Jiniki Timoteo, and Vali Ilaoloa.

Assistant Coaches: Burt Souza, Len Nakasone, Jon Acohido and Jon Morikawa.
Not in attendance: Jake Kawamata, Pat San Nicholas, Esmond Kilaulani, Tui Alailima, Antonio Brown, Ed Kama, Mark Kurisu, Darrin Matsumiya, Richard Townsend, Al Viloria and Joe Watts

Friends and Family: Kyle Ontiveros' mother, Adele Ontiveros; and Kamana Akagi's parents, Angel and Dean Akagi, and grandmother, Amy Akagi.

Representative Yamane also congratulated the Leilehua Varsity Football Team and acknowledged the leadership of Coach Nolan Tokuda.

Representative Meyer further congratulated the team and commended them on an outstanding season.

The motion was put to vote by the Chair and carried, and H.R. No. 327 was adopted with Representatives McKelvey, Nakasone, Saiki and Takai being excused.

At 12:39 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:51 o'clock p.m.

At this time, the entire Leilehua Varsity Football Team performed the *haka* for the House of Representatives.

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 McKelvey, Nakasone and Takai were excused.)

UNFINISHED BUSINESS

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1477-08) recommending that S.B. No. 3166, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3166, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1478-08) recommending that S.B. No. 2464, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2464, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1479-08) recommending that S.B. No. 2584, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2584, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HONEY," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

At 12:54 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 3166, HD 1
S.B. No. 2464, HD 1
S.B. No. 2584, SD 2, HD 1

STANDING COMMITTEE REPORTS

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1480-08), recommending

that H.R. No. 229, as amended in HD 1, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 229, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was referred to the Committee on Energy & Environmental Protection with Representatives McKelvey, Nakasone and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1481-08), recommending that H.C.R. No. 270, as amended in HD 1, be referred to the Committee on Energy & Environmental Protection.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 270, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was referred to the Committee on Energy & Environmental Protection with Representatives McKelvey, Nakasone and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1482-08), recommending that H.R. No. 235, as amended in HD 1, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 235, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was referred to the Committee on Health with Representatives McKelvey, Nakasone and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1483-08), recommending that H.C.R. No. 277, as amended in HD 1, be referred to the Committee on Health.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 277, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was referred to the Committee on Health with Representatives McKelvey, Nakasone and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1484-08), recommending that H.C.R. No. 314, 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. 314, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND ADMINISTER A REHABILITATIVE AND RELATED SERVICES GRADUATE SCHOOL LOAN PROGRAM WITHIN ITS CENTER ON DISABILITY STUDIES," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1485-08), recommending that H.R. No. 112, as amended in HD 1, 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. 112, HD 1, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REMOVE ENROLLMENT CAP RESTRICTIONS ON STUDENT APPLICANTS FROM NATIONS THAT ENTERED INTO A COMPACT OF FREE ASSOCIATION WITH THE UNITED STATES," was referred to the Committee on Higher Education with Representatives McKelvey, Nakasone and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1486-08), recommending that H.C.R. No. 130, as amended in HD 1, 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. 130, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REMOVE ENROLLMENT CAP RESTRICTIONS ON STUDENT APPLICANTS FROM NATIONS THAT ENTERED INTO A COMPACT OF FREE ASSOCIATION WITH THE UNITED STATES," was referred to the Committee on Higher Education with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1487-08), recommending that H.C.R. No. 60, 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. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE AN INVENTORY OF CAMPING FACILITIES AND CAMPSITES AVAILABLE STATEWIDE AND REPORT ON THE CONDITIONS OF, AND PROBLEMS ASSOCIATED WITH, EXISTING CAMPING FACILITIES AND CAMPSITES IN THE STATE," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1488-08), recommending that H.C.R. No. 258, 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. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO COORDINATE THE CITY AND STATE AGENCIES IN ADDRESSING THE OVERGROWTH OF VEGETATION ON KAHALA BEACH," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1489-08), recommending that H.R. No. 130, 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. 130, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A

FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1490-08), recommending that H.C.R. No. 157, 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. 157, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO DRAFT A FIVE-YEAR STRATEGIC PLAN FOR A GRADUATE DEGREE PROGRAM IN CULTURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1491-08), recommending that H.R. No. 200, 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. 200, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1492-08), recommending that H.C.R. No. 237, 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. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1493-08), recommending that H.R. No. 59, as amended in HD 1, 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. 59, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ASSIST THE PACIFIC GATEWAY CENTER IN FINDING AN APPROPRIATE LOCATION TO LEASE FOR THE PURPOSE OF DEVELOPING THE KE'EHI COMMUNITY RESOURCE CENTER," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1494-08), recommending that H.C.R. No. 68, as amended in HD 1, 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. 68, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ASSIST THE PACIFIC GATEWAY CENTER IN FINDING AN APPROPRIATE LOCATION TO LEASE FOR THE PURPOSE OF DEVELOPING THE KE'EHI COMMUNITY RESOURCE CENTER," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1495-08), recommending that H.R. No. 117, as amended in HD 1, 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. 117, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A PLAN TO ESTABLISH A STATEWIDE INMATE CONSERVATION CORPS PILOT PROGRAM," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Evans and Ito, for the Committee on Public Safety & Military Affairs and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1496-08), recommending that H.C.R. No. 136, as amended in HD 1, 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. 136, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A PLAN TO ESTABLISH A STATEWIDE INMATE CONSERVATION CORPS PILOT PROGRAM," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1497-08), recommending that H.C.R. No. 288, be referred to the Committee on Legislative Management.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 288, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF PERSONS WHO APPREHEND BAIL FUGITIVES," was referred to the Committee on Legislative Management with Representatives McKelvey, Nakasone and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1498-08), recommending that H.R. No. 173, as amended in HD 1, 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. 173, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK TO STUDY THE EFFECTS OF THE WORK REQUIREMENTS OF THE TEMPORARY

ASSISTANCE FOR NEEDY FAMILIES PROGRAM," was referred to the Committee on Higher Education with Representatives McKelvey, Nakasone and Takai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1499-08), recommending that H.C.R. No. 205, as amended in HD 1, 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. 205, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK TO STUDY THE EFFECTS OF THE WORK REQUIREMENTS OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES PROGRAM," was referred to the Committee on Higher Education with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1500-08), recommending that H.C.R. No. 329, as amended in HD 1, 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. 329, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE OPPORTUNITIES FOR STUDENTS TO LEARN ABOUT HAWAII LABOR HISTORY," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1501-08), recommending that H.R. No. 225, 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. 225, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1502-08), recommending that H.C.R. No. 265, 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. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1503-08), recommending that H.R. No. 242, 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. 242, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1504-08), recommending that H.C.R. No. 290, 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. 290, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was referred to the Committee on Finance with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1505-08) recommending that H.C.R. No. 117, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 117, be adopted, seconded by Representative B. Oshiro.

Representative Sagum rose to speak in support of the measure, stating:

"On Standing Committee Report 1505-08, in support. And I'd like to thank the Members for supporting this Resolution. This is very important for my community and for the Hawaiian community. This resource is so significant to our State, but it represents more than just being Hawaiian. It's a cultural site. It's a religious site. And it's a symbol of the strength of our community. So I stand in support of this Resolution and will submit additional written comments in strong support."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HCR 117.

"The historic value of the Hanapepe Salt Ponds is priceless. Generations of families have been continuing the tradition of Hawaiian salt making for at least 50 years. Culturally, Hawaiian salt plays a big part in the life of native Hawaiians.

"Unfortunately, over the past fifty years, there have been negative impacts on the salt beds due to the development in the surrounding area. I believe that the Hanapepe Salt Ponds are the only viable salt ponds left in the State of Hawaii, and it is imperative that we protect this important cultural part of Hawaii.

"To address this problem, I would like all State, County and community agencies to meet and develop a Hanapepe Salt Pond resource management plan, which this HCR will do.

"Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Mr. Speaker I also stand in strong support for Stand. Com. Rep. 1505-08 and if I can have the words, not the written comments but the words that were stated by the previous speaker placed into the Journal as if they were my own. And I just wanted to say, it truly was a blessing for us to take a site visit and to see the Hanapepe salt ponds and understand that generation after generation have worked on that. It's a devotion that truly represents the awesome spirit of Aloha. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 117, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1506-08) recommending that H.R. No. 95, 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. 95, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF HAWAII TO PREPARE A COORDINATED, COMPREHENSIVE PLAN TO ADDRESS THE NEEDS AND CONCERNS OF THE LESSEES FACING EVICTION UPON THE EXPIRATION OF THE LEASES AT THE KANOELEHUA INDUSTRIAL PARK," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1507-08) recommending that H.C.R. No. 112, 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. 112, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF HAWAII TO PREPARE A COORDINATED, COMPREHENSIVE PLAN TO ADDRESS THE NEEDS AND CONCERNS OF THE LESSEES FACING EVICTION UPON THE EXPIRATION OF THE LEASES AT THE KANOELEHUA INDUSTRIAL PARK," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1508-08) recommending that H.R. No. 186, 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. 186, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HOʻOLAULIMA IA KAWAI NUI TO COORDINATE EFFORTS TO PROTECT, PRESERVE, AND MAINTAIN THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF KAWAI NUI MARSH," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1509-08) recommending that H.C.R. No. 219, 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. 219, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HOʻOLAULIMA IA KAWAI NUI TO COORDINATE EFFORTS TO PROTECT, PRESERVE, AND MAINTAIN THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF KAWAI NUI MARSH," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1510-08) recommending that H.R. No. 245, 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. 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 adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1511-08) recommending that H.C.R. No. 294, 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. 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 adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1512-08) recommending that H.R. No. 286, 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. 286, entitled: "HOUSE RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO TELEVISE THE GENERAL MEETINGS OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1513-08) recommending that H.C.R. No. 345, 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. 345, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO TELEVISE THE GENERAL MEETINGS OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1514-08) recommending that H.R. No. 287, 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. 287, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONDUCT A STUDY ON PARTS I, II, IV, AND V OF TITLE 13, SUBTITLE 4, OF THE HAWAII ADMINISTRATIVE RULES," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1515-08) recommending that H.C.R. No. 346, 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. 346, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF AQUATIC RESOURCES, TO CONDUCT A STUDY ON PARTS I, II, IV, AND V OF TITLE 13, SUBTITLE 4, OF THE HAWAII ADMINISTRATIVE RULES," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1516-08) recommending that H.R. No. 288, 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. 288, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED IMMEDIATELY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1517-08) recommending that H.C.R. No. 347, 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. 347, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED IMMEDIATELY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Cabanilla and Shimabukuro, for the Committee on International Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1518-08) recommending that H.R. No. 110, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 110, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING ASSISTANCE FOR PERSONS PRESENT IN THE UNITED STATES UNDER THE COMPACTS OF FREE ASSOCIATION," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representatives Cabanilla and Shimabukuro, for the Committee on International Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1519-08) recommending that H.C.R. No. 128, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 128, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING ASSISTANCE FOR PERSONS PRESENT IN THE UNITED STATES UNDER THE COMPACTS OF FREE ASSOCIATION," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1520-08) recommending that H.R. No. 216, 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. 216, entitled: "HOUSE RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU, THE COUNTY OF HAWAII, AND KAUAI COUNTY TO PROVIDE AN INCREASE IN INFORMATION THAT WILL INFORM AND ENABLE HOMEOWNERS TO GAIN KNOWLEDGE OF THE FLOOD ZONE THAT HOMES ARE LOCATED IN AND THE RISKS OF FLOODING," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1521-08) recommending that H.C.R. No. 255, 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. 255, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE CITY AND COUNTY OF HONOLULU, THE COUNTY OF HAWAII, AND KAUAI COUNTY TO PROVIDE AN INCREASE IN INFORMATION THAT WILL INFORM AND ENABLE HOMEOWNERS TO GAIN KNOWLEDGE OF THE FLOOD ZONE THAT HOMES ARE LOCATED IN AND THE RISKS OF FLOODING," was adopted, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1522-08) recommending that S.B. No. 2425, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2425, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON," passed Second Reading and was placed on the calendar for Third Reading with Representatives McKelvey, Nakasone and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1523-08) recommending that S.B. No. 2363, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2363, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives McKelvey, Nakasone and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1524-08) recommending that S.B. No. 3203, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3203, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in opposition to the measure, stating:

"Thank you. On Standing Committee Report 1524, Senate Bill 3203, SD 1, HD 1, I stand in opposition. Thank you. I think there's some good intention here, but I'm very concerned about really the outcome if we pass this bill. This came about because in Kaka'ako there's a homeless woman, that I don't know how she did it, but she got animal cages and she stacks them up and I think she has 20 or 30. The community is not very happy seeing that, and I think she lives in an alley with these pets.

"People are really concerned that the City and County of Honolulu hasn't taken any action. If we have to pass a State law to deal with this so be it, but I voted no in Committee because I felt that we're dealing with a homerule issue. The City and County needs to go out

and deal with someone who possibly doesn't understand what she's doing.

"But I also want to point out, the more I think about this bill I remember in West Hawaii, I had people approaching me in tears saying the Humane Society was not taking care of the animals humanely. So I think the Humane Society should be careful because they may be under a misdemeanor themselves for this. The way the bill is written it says 'a person knowingly possesses more than 20 dogs, cats or a combination of dogs and cats and doesn't provide the necessary sustenance for each dog or cat.'

"When I question the person who really wanted this bill and I got into a lengthy discussion with him, he said if you approach this homeless woman she truly felt she was providing sustenance and love to these animals that were probably feral or abandoned animals. She felt she was doing the right thing. So I just have concerns about this law. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. In support. Just a few short comments. I want to thank the Chairs for hearing this measure. I just passed by this woman a few days ago. She is on State land and has about 30 to 40, if not more, small cages with shopping carts. And these animals are kept on the sidewalk in that area. I just want to encourage Members to support the measure and it may be a 'cruel to be kind' situation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3203, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," passed Second Reading, and was placed on the calendar for Third Reading with Representative Evans voting no, and with Representatives McKelvey, Nakasone and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1525-08) recommending that S.B. No. 1805, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1805, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GENETIC COUNSELORS," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1526-08) recommending that S.B. No. 2159, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2159, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROFESSIONS," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

At 1:02 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1805, SD 1
S.B. No. 2159, HD 1

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1527-08) recommending that S.B. No. 1802, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1527-08 on S.B. No. 1802, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1802, HD 1, were made available to the members of the House.

THIRD READING

S.B. No. 1809:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1809, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

S.B. No. 2402, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2402, SD 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Takai being excused.

S.B. No. 2434, HD 1:

Representative Caldwell moved that S.B. No. 2434, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker I rise in opposition to SB 2434. Thank you, Mr. Speaker. I rise following the inspiration of that floor presentation and the Chair of Finance who really got us charged up and the *haka* that really put us in place as the previous quarterback and co-captain, it was the gist of what a contact sport is made of which is why I want to stand vehemently opposed to this bill.

"This is a bill that's premised on, I've called it IFL-phobia. On the Eiffel Tower you look down and you get fearful, when we look up to the Fifth floor we get fearful, it's the irrational fear of Lingle. This is another way of curtailing the Governor's power, Mr. Speaker. If we attack the problems of homelessness, affordable housing and other things as vigorously as we have attacked the Governor, I think we would be much better off.

"But Mr. Speaker the wisdom or the test of the pudding is in the tasting, as one of my learned colleagues from the Finance Committee said last week, the real test of what we're doing today will be if and when another Democrat becomes Governor, and how long that these bills will last. That will be the test of what we're doing today, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm in opposition to this particular measure. In Senate Bill 2434, this seeks to change the Stadium Authority from nine members to 11 Members. I consider it a court packing bill. The Governor now picks seven of the nine members and two of them serve *ex officio*, the Superintendant of schools and the UH President, that brings it up to nine.

"Under this bill the Governor will only be able to pick three outright and then further select three more, but from a list from the Senate and another three more from a list from the House. Therefore the Governor goes from selecting seven of his or her choice, down to three members.

"In my estimation this bill sets forth an appointment cycle that would set in motion the first two-thirds, or the first six of the

authority vacancies will be determined by a list provided by the Senate and the House before the Governor could directly appoint the Governor's 7th, 8th or 9th members. That would be a long time away and I'm very sure we'll have a different governor by that time.

"But really it reduces appointment power of the Governor and DAGS has said this is an unnecessary bill. Although the purpose clause talks about importance in the large amount of money churning through the Stadium, there is no change required in the selection of this bill. No change in criteria or qualification for Authority members.

"I think this is a not so transparent attempt to chip away at the various powers allowed our Governor. Sometimes I question the motives of the introducer of these bills and I will remind you that the Senate will have two bites of this particular apple. They will be providing names to the Governor and also have advise and consent powers. So I think this is a bill where the Legislature starts intruding into Executive functions and the running of an Executive office and I think we should stick to our legislative powers and business. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 2434, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Third Reading by a vote of 41 ayes to 7 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives McKelvey, Nakasone and Takai being excused.

At 1:07 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1809
S.B. No. 2402, SD 1
S.B. No. 2434, HD 1

ANNOUNCEMENTS

Representative Karamatsu, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing S.B. No. 3048, SD 1, Relating to the Hawaiian Homes Commission Act, to be held on Wednesday, April 2 at 11:30 a.m. in Room 312, and the Chair, "so ordered."

Representative B. Oshiro, for the Committee on Judiciary requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing H.C.R. No. 360 and H.R. No. 296, Requesting the Judiciary to Establish a Separate Calendar for Cases that Involve Environmental Matters, to be held on Tuesday, April 1 at 2:10 p.m. in Room 325, and the Chair, "so ordered."

Representative Morita, for the Committee on Energy & Environmental Protection and the Committee on Judiciary, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing H.C.R. No. 350, with a proposed HD 1, to be held on Tuesday, April 1 at 10:05 a.m. in Room 312, and the Chair, "so ordered."

Representative Ching: "Thank you. Mr. Speaker. It is one day late, it was yesterday, but since we're not in session on a Sunday, it was Doctor's Day yesterday. I know that we have our own physician here in the Chamber and all that doctors do for us we might be able to remember just one day. And if you don't mind, Happy Doctor's Day."

Representative Green: "Thank you, Mr. Speaker. I just wanted to say, thank you very much."

Representative Meyer: "Mr. Speaker I just wanted to announce about the Penny War. My pennies are growing dramatically so if you folks want to make sure you win pizza lunch you better put some more money in my vessels there. Thank you."

ADJOURNMENT

At 1:10 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, April 1, 2008. (Representatives Chang, McKelvey, Nakasone, M. Oshiro, Souki and Takai were excused.)

FORTY-SECOND DAY

Tuesday, April 1, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Tom Brower, after which the Roll was called showing all members present with the exception of Representatives Nakasone, M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-First Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 285 and 286) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 285, dated March 31, 2008, transmitting the Department of Human Services' Report as required by H.C.R. 344/H.R. 276, H.D. 1, adopted by the 2007 Hawaii State Legislature.

Gov. Msg. No. 286, informing the House that on March 31, 2008, the following bill was signed into law:

S.B. No. 2292, entitled: "A BILL FOR AN ACT RELATING TO AUTOMATED TELLER MACHINES." (ACT 004)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 412 through 420) were received and announced by the Clerk:

Sen. Com. No. 412, transmitting S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING," which was adopted by the Senate on March 31, 2008.

Sen. Com. No. 413, transmitting S.C.R. No. 114, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY GROUP TO RE-ENGINEER THE DEPARTMENT OF EDUCATION'S OFFICE OF HUMAN RESOURCES," which was adopted by the Senate on March 31, 2008.

Sen. Com. No. 414, transmitting S.C.R. No. 115, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A PILOT PROJECT TO ALLOW A SCHOOL COMPLEX TO IDENTIFY CRITICAL DEPARTMENT RULES AND POLICIES THAT IMPEDE EFFECTIVE DECISION-MAKING, ADMINISTERING, AND TEACHING AND TO OPERATE FREE OF THOSE RULES AND POLICIES," which was adopted by the Senate on March 31, 2008.

Sen. Com. No. 415, transmitting S.C.R. No. 192, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING KAUAI COMMUNITY COLLEGE TO WORK WITH THE KAUAI POLICE DEPARTMENT TO EXPLORE THE DEVELOPMENT OF AN ASSOCIATE OF SCIENCE DEGREE PROGRAM IN CRIMINAL JUSTICE," which was adopted by the Senate on March 31, 2008.

Sen. Com. No. 416, transmitting S.C.R. No. 231, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND IMPLEMENT A COMPREHENSIVE PLAN TO ASSIST THE BUREAU OF CONVEYANCES IN BECOMING A MORE EFFICIENT, EFFECTIVE, AND ACCOUNTABLE OPERATION, AND DEVELOP STRATEGIC INITIATIVES FOR THE BUREAU," which was adopted by the Senate on March 31, 2008.

Sen. Com. No. 417, transmitting H.B. No. 2524, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on March 31, 2008.

Sen. Com. No. 418, transmitting H.B. No. 2662, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," which passed Third Reading in the Senate on March 31, 2008.

Sen. Com. No. 419, transmitting H.B. No. 2847, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," which passed Third Reading in the Senate on March 31, 2008.

Sen. Com. No. 420, transmitting H.B. No. 2860, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on March 31, 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 Nakasone, M. Oshiro and Takai were excused.)

H.B. No. 2524, SD 1	H.B. No. 2847, SD 1
H.B. No. 2662, HD 2, SD 2	H.B. No. 2860, HD 2, SD 3

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Chang introduced the Cal State Fullerton Titans Women's Volleyball Team:

Ms. Cari Bailey of Rancho Cucamonga, California;
Ms. Brittany Moore of Orange, California;
Ms. Cami Croteaut of Orange, California;
Ms. Genie Francisco of Long Beach, California;
Ms. Alex Wolnisty of Riverside, California; and
Ms. Deven Bukoski of Kula, Maui.

Representative Chang also introduced former Representative Kika Bukoski who was accompanying his daughter Deven, and the Cal State Fullerton team.

Representative Green introduced participants with Lupus Hawaii's Lupus Alert Day at the Capitol:

Cheryl Ann Jong, President;
Chris Inoue, Director of Operations;
Jeff Sakai, Board of Directors Chair;
Ann Kwock, Board Vice Chair;
Tracy Nakashima, Board Treasurer;
Board Members – Elizabeth Ajifu and Sandy Niebling;
Patient and Volunteers – Kevin Jong, Stephanie Schoenig, Amos Burnett, Lisa-Ann Burnett, Jasmine Quibilan, and Kimm Hirahara;
Dannetter Wong-Tomiyasu, Department of Health Chronic Disease Branch Chief;
Jill Tamashiro, National Kidney Foundation; and
Duianne Ward, Arthritis Foundation Executive Director.

Representative Lee introduced the 3rd grade students of Mililani Ike Elementary School. They were accompanied by teachers, Mrs. Celeste Inake, Mrs. Randi Shibuya and Mrs. Mary Jane Tuvera; and chaperones, Mrs. Moore, Mrs. Tanaka, Mrs. White, Mrs. Dumlao, Mr. Voss, Ms. Debbie Hipolito, Ms. Terri Hironaka, Ms. Tracy Fogle, Ms. Joanne Vallestros, Ms. Rhoda Cruz, Mrs. Robin Boney, Mrs. Abramo, Mr. Colte, Mrs. Ho, and Mrs. Keliinoi.

Representative Mizuno introduced the students of Halau Lokahi Charter School and their teachers: Kumu Deena Betonio, Kumu Adeline Keama, Kumu Marge Hayes, and Kumu Tiane McNeil. They were accompanied by Halau director, Ms. Laara Albrett, and Representative's legislative staff, Josephine Besario and Dr. Leolani Oyama.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
5, SD1	Committee on Tourism & Culture
33, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Finance
51, SD1	Committee on International Affairs, then to the Committee on Economic Development & Business Concerns
83, SD1	Committee on Education, then to the Committee on Finance
94	Committee on Higher Education, then to the Committee on Finance
106, SD1	Committee on Human Services & Housing, then to the Committee on Judiciary
108	Committee on Transportation, then to the Committee on Finance
109	Committee on International Affairs, then to the Committee on Public Safety & Military Affairs
110, SD1	Jointly to the Committee on Education and the Committee on Human Services & Housing
111	Committee on Education, then to the Committee on Finance
120	Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance
121, SD1	Jointly to the Committee on Higher Education and the Committee on Education, then to the Committee on Finance
158, SD1	Committee on Education, then to the Committee on Finance
180	Committee on Higher Education, then to the Committee on Finance
184	Committee on Higher Education, then to the Committee on Finance
220	Committee on Education, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
106	Committee on Labor & Public Employment
161	Committee on Economic Development & Business Concerns
162	Committee on Economic Development & Business Concerns

H.C.R. Nos.	Re-referred to:
124	Committee on Labor & Public Employment
192	Committee on Economic Development & Business Concerns
193	Committee on Economic Development & Business Concerns

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
2141, HD1	Committee on Human Services & Housing

INTRODUCTION OF RESOLUTIONS (FLOOR PRESENTATIONS)

The following resolution (H.R. No. 328) was announced by the Clerk and the following action taken:

H.R. No. 328, entitled: "HOUSE RESOLUTION CONGRATULATING KUALOA-HE`EIA ECUMENICAL YOUTH (KEY) PROJECT ON IT'S 40TH ANNIVERSARY," was offered by Representative Meyer.

Representative Meyer moved that H.R. No. 328 be adopted, seconded by Representative Thielen.

Representative Meyer congratulated the Kualoa-He'eia Ecumenical Youth Project on its 40th anniversary, and introduced the honorees seated on the floor of the House:

Mr. Charles Toguchi, KEY Project Board President;
Ms. Jacqueline 'Stookie' Mellow, Board Member;
Mr. Eldean Kukahiko, Pastor of Hope Chapel, Kahaluu; and
Mrs. Ann Kalahiki representing her husband, Mr. Randy Kalahiki, one of the founders of KEY Project.

Representative Thielen then introduced Mr. John Reppun, Executive Director of the KEY Project who was seated on the floor of the House.

Representative Meyer then introduced some of the Board Members and staff of the KEY Project who were seated in the gallery:

Ms. Emma Frias, Ms. Vicky Phillips, Ms. Leiana Manutai, Ms. Trixy Gasper, Ms. Michelle Heaviside, Ms. Lanette Mahelona, Ms. Darling Kukahiko, Mr. Kamuela Kalai, Ms. Velma Wong, Mr. David Knox, Mr. Elwin Spray, Mr. Richard Vermeesch, and Mr. Kevin Chang.

The motion was put to vote by the Chair and carried, and H.R. No. 328 was adopted with Representatives Caldwell, Nakasone, M. Oshiro, Saiki and Takai being excused.

The following resolution (H.R. No. 329) was announced by the Clerk and the following action taken:

H.R. No. 329, entitled: "HOUSE RESOLUTION RECOGNIZING AND HONORING THE SISTERS OF SAINT FRANCIS FOR THEIR NUMEROUS AND OUTSTANDING ACHIEVEMENTS AND THE TREMENDOUS ALOHA AND CARE THEY HAVE SHOWN TO THE PEOPLE OF HAWAII OVER THE PAST 125 YEARS," was jointly offered by Representatives Magaoay, Carroll, Ito, Karamatsu, McKelvey, Mizuno and Tsuji.

Representative Magaoay moved that H.R. No. 329 be adopted, seconded by Representative Ito.

Representative Magaoay commended and thanked the Sisters of St. Francis for their service to the people of Hawaii over the past 125 years, and introduced the honorees seated on the floor of the House:

Sister Agnelle Ching, Chief Executive Officer;
Sister William Marie Eleniki;
Sister Alicia Damien Lau;
Sister Joan of Arc Souza; and
Sister Ancilla Yim.

Representative Magaoay also introduced Sisters of St. Francis who were seated in the gallery:

Sister Francis Regis Hadano;
Sister Norise Kaiser;
Sister Agatha Perreira;
Sister Marie Jose Romano;
Sister Rose Annette Ahuna;
Sister Rose Fatima Leite;
Sister Miriam Dionise Cabacungan; and
Sister Jovita Agustin.

Representative Magaoay then introduced other members of the St. Francis family: Cheryl Tamura, Pam Witty-Oakland, and Jerry Correa. They were accompanied by his legislative staff, Judy Fomin.

Representative Ching also thanked and commended the Sisters of St. Francis for their work and service to the people of Hawaii.

The motion was put to vote by the Chair and carried, and H.R. No. 329 was adopted with Representatives Nakasone, M. Oshiro and Takai being excused.

At 12:39 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:47 o'clock p.m.

STANDING COMMITTEE REPORTS

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1528-08), recommending that H.C.R. No. 90, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 90, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Takumi rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. I am in opposition to Stand. Com. Rep. No. 1528-08, HCR 98. I have talked during the past few years on international trade agreements and I do believe that trade agreements are a good thing if it's based on fair trade. This is an example of quite the opposite. And I hate to take time on Second Reading. I know it goes to another Committee, but I just flag it out to the next Committee.

"I guess I could talk about how this particular trade agreement is based upon the model that CAFTA/NAFTA was drafted upon which has left 3 million manufacturing jobs out of the United States, affected trade deficits and caused a downturn in wages and working conditions for both workers in the United States and the affected countries.

"I guess I could also talk about how this particular trade agreement will impact Korean consumers. If you read carefully, the section on the pharmaceuticals and the medical devices chapter allows big drug companies in the United States to basically enter the Korean market and push brand-name drugs over generics.

"I guess I could also talk about why this is modeled after the U.S. Peru Trade Agreement which our two Congressional Representatives have voted no on, and why this particular Trade Agreement was passed on the last day and fast tracked on June 30, 2007. It still has to be submitted to the Congress, in which time they have 90 days to vote up or down.

"But what's most troubling about the U.S.-Korea Free Trade Agreement Mr. Speaker, is the lack of democracy for free speech that has accompanied this Agreement. Not so much in the United States because most Americans have never heard about the U.S.-Korea Free Trade Agreement, but in Korea itself. I think all of us know the demonstrations the rice farmers have had in '06 and '07 over this, and how car manufacturers are also concerned. But more importantly the steps that the Korean government has taken. I think we all know the state-run media has banned advertisements on Korean television that oppose the Trade Agreement. The current Administration has declared that they would cut off any government subsidies for organizations that oppose the Trade Agreement. And in fact, they have outlawed public demonstrations for anyone that opposes the agreement.

"I think all of us should be concerned when you cannot have a free and democratic dialogue on whether or not a trade agreement is good for your country. We should oppose that, not just on the basis of workers' rights, but also on the basis of democracy. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker I rise in support of the Resolution with a few comments, and a request to insert comments in the Journal. First of all free trade actually promotes freedom and if you look at the trail of democracies, we have increased our number of democracies over the last 30 years by 50 percent. Free trade in that same period has increased all over the globe. So the disadvantages of free trade that the previous speaker spoke of I think are a bit disproportionately overly stressed.

"Secondly, free trade is really what … How can I put it best? It is what much of the United States is trying to do with many places in the world to combat what the free block of traders in the Eastern European block have made. We have been able to do free trade as a way of exporting a group of countries with the United States to make it more possible if you will, to go against the $250 million that the European Union has done. In terms of promoting democracy, free trade has actually opened up countries. It's made it easier to speak of global peace.

"And the bottom line Mr. Speaker and my last point is that globalization is reality. Trade barriers and protectionism are what led to wars. It started wars. It's kept people warring with one another. And the mindset of isolationism on the economic front is something that we have to avoid. Hawaii is in the global economy.

"The United States is in the global economy. The more relationships we have with people, with free and open trade, not protectionism and not all of these things that you've got to go on are similar of full standards. Of course we want to have labor protections; we want to have environmental protections. But we don't want to go back to our isolationism that led to so many of the conflicts in the past. And history is very clear on that. The rest of my remarks Mr. Speaker, will be inserted in the Journal. Thank you."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in support of HCR 90, supporting the Free Trade Agreement with Korea (KORUS FTA). The KORUS FTA will be the most significant FTA in 15 years for the US, and will enhance trade, promote economic growth, and eliminate tariffs and non-tariff barriers to trade in goods and services.

"Mr. Speaker, Korea is the United States' 7th largest trading partner, importing 17% of Korea's exports. Between 2005 and 2006 there was an increase of 16.9% of exports from the United States to Korea. Within 3 years of entry into the agreement, 95% of the consumer and industrial products will become duty free. Products include industrial and consumer electronic machinery and parts, auto parts, power generation equipment, the majority of chemicals, medical and scientific equipment, motorcycles, and certain wood products. Korea will also allow remanufactured goods that will include medical equipment, machinery and auto parts.

"In addition, Mr. Speaker, $1.6 million of US exports to Korea will become duty-free immediately. This list includes wheat, corn or feed, soybeans for crushing, hides and skins, and cotton, along with a range of high value agricultural products that include almonds, pistachios, bourbon whiskey, wine, raisins, grape juice, orange juice, fresh cherries, frozen french fries, frozen orange juice concentrate, and pet food.

"This expanded market benefits US farm products with two-year phase-out tariffs on avocados, lemons, dried prunes, and sunflower seeds. Those with five-year tariffs are chocolate and chocolate confectionary, sweet corn, sauces and preparations, other fodder and forage, breads and pastry, grapefruit, and dried mushrooms.

"Farm products that will benefit through tariff rate quotas include skim and whole milk powder, whey for food use, cheese, dextrin and modified starches, barley, popcorn, and soybeans for food use. Market access was also expanded for beef and pork products, pears, apples, grapes and oranges.

"The agreement also ensures that US automobiles can compete in Korea on a level playing field with the immediate elimination of Korean tariffs on most US priority passenger vehicles and trucks. There will also be an overhaul on the Korean system for taxing cars based on "engine displacement", including the Special Consumption Tax, the Annual Vehicle Tax, and the Subway/regional Development Bond. Korea has also agreed to address specific auto non-tariff barriers, including current standards, to ensure they do not impede the market access of US autos. An Auto Working Group is to be created to serve as an early warning system to address regulatory issues that may develop. The agreement has an innovative expedited dispute settlement process for auto-related measures that violate the FTA, with a full snapback of MFN car tariffs in the case of a violation.

"Under this agreement, apparel products made in South Korea will qualify for preferential treatment if they use US or Korean fabric and yarn, which would support US fabric and yarn exports and jobs. Customs cooperation will allow for verification of claims of origin. A special textile tax safeguard will provide temporary tariff relief.

"Korea will take measures to ensure that anticompetitive practices by private parties and by government established monopolies do not undermine the benefits of the FTA, while ensuring due process protections. There will be stable legal framework for US investors operating in Korea. Investors will have the right to establish, acquire, and operate investments on an equal footing with local investors. They will be backed by a transparent, binding international arbitration mechanism.

"Korea will also provide market access commitments across all major service sectors, with significant progress in express delivery services, creating greater and more secure access to international delivery. Foreign legal services will be opened up for the first time. Research and development, legal, accounting, maintenance and repair of equipment, education, health, environmental, telecommunications, audio-visual, and services incidental to mining.

"Korea will make significant improvements in broadcasting and audiovisual services, including allowing within 3 years 100% foreign ownership of program providers by US firms, reducing quotas on animation and film, and increasing allowable content from a single country.

"Korea has committed to permit the US controlled companies to own 100% of Korean phone companies. Dominate phone companies provide cost-based interconnection and access to essential facilities, including submarine cable landing stations.

"Korea and the US agreed to non-discriminatory and duty-free treatment of all digital products, whether imported in physical form or over the internet.

"The agreement also ensures transparent, predictable, and non-discriminatory pricing and reimbursement of innovative and generic pharmaceutical products and medical devices. It would also enhance ethical business practices; improve predictability and transparency of the pricing and reimbursement system, and establish a Medicines and Medical Devices Committee. The agreement requires Korea to create an independent mechanism to review pricing and reimbursement decisions.

"The agreement between the US and Korea calls for protection and enforcement of a broad range of intellectual property rights, including trademarks, copyrights and patents consistent with US standards and will provide protection for emerging technologies. These standards include protections for product such as US software, music, text, and videos; and a more comprehensive protection for patents, trademarks and test data. A commitment to a patent linkage system to ensure adequate enforcement of pharmaceutical patent rights will be established.

"The FTA commits each country to enforce their own domestic environmental laws and adopt, maintain, and implement laws, regulations, and all other measures to fulfill obligations under the seven covered multilateral environment agreements (MEAs).

"On the issue of labor rights, the FTA creates an enforceable reciprocal obligation to adopt and maintain fundamental labor rights as stated in the 1998 International Labor Organization Declaration on Fundamental Principles and Rights at Work, including prohibition on the worst forms of child labor, which neither party may waive. A

cooperative mechanism for the governments to develop cooperative activities aimed at promoting and advancing fundamental labor rights also shall be established. Korea will provide US firms with non-discriminatory access to nine Korean central government entities that are not covered under the Agreement on Government Procurement (GPA).

"Strong transparency obligations including proposed regulations by the respective governments in advance, allow opportunity to comment on the proposed regulations, address significant substantive comments received, and publish regulations in an official journal of national circulation. Dispute settlement mechanisms provide for open public hearings, public access to documents, and the opportunity for third parties to submit views.

"The FTA's Technical Barriers to Trade build upon and reinforce Korea's commitments in the WTO Agreement on Technical Barriers to Trade. It promotes transparency in the way governments develop and apply technical regulations and related conformity assessment procedures. It also addresses concerns relating to specific emissions and safety issues.

"It also includes commitments on customs administration, rules of origin, and origin procedures that will ensure that the US and Korean private sector stakeholders lock-in and maximize the benefits of the FTA, including provisions on transparency and publication, efficient release of goods, automation, express shipments, advance rulings, importer focused origin procedures, and comprehensive product-specific rules of origin.

"Mr. Speaker, for all the reasons stated, I stand in support of this measure."

Representative Takamine rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of the measure, stating:

"In support Mr. Speaker, and just a short comment. Korea has been a very important ally to the United States. As a member of the Armed Forces, I have seen what they've done for this country. They have fought for us since World War II.

"And as far as trade agreements go, they're the sixth largest economy in the world now. They have moved on and actually, they do billions of dollars worth of trade with the United States currently. Putting this into statute, if you just legitimize what we currently have with them. We now do trade agreements with Korea and whether we like it or not, they are here to stay and have contributed to our economy. And so I stand in support, Mr. Speaker."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition and want to register a no vote. I ask that the words of the Representative from Pearl City be entered as my own. What I've been learning over the last few years here is the adverse impact of trade agreements on Hawaii. We've already had our honey bees compromised, and evidently according to the recent statement by the Department of Agriculture Director, the Department of Agriculture apparently feels hamstrung by the existing trade agreements to put measures in place that would protect our taro.

"So I think we need to be very deliberate about Hawaii's role and protecting especially Hawaii's trade, and I rise in opposition. Thank you."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I also rise in opposition. And I guess the real operative word here is we want 'fair trade', not 'free trade'. We want fair trade that addresses social justice, labor and environmental issues. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 90, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO SUPPORT THE KOREA-UNITED STATES FREE TRADE AGREEMENT," was referred to the Committee on Economic Development & Business Concerns with Representatives Belatti, Berg, Morita, Takamine and Takumi voting no, and with Representatives Nakasone, Sonson and Takai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1529-08), recommending that H.R. No. 157, 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. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was referred to the Committee on Finance with Representatives Nakasone, Sonson and Takai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1530-08), recommending that H.C.R. No. 187, 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. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was referred to the Committee on Finance with Representatives Nakasone, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1531-08), recommending that H.C.R. No. 358, as amended in HD 1, 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. 358, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO SOLICIT PUBLIC INPUT AND EXAMINE METHODS OTHER THAN THE PUBLIC PROCUREMENT CODE PROCESS TO OVERSEE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS' EXPENDITURES AND ENSURE PROPER CHECKS AND BALANCES," was referred to the Committee on Finance with Representatives Nakasone, Sonson and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1532-08), recommending that H.C.R. No. 214, 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. 214, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, MAINLAND AND FDC BRANCH, ON CONTRACT COMPLIANCE OF PRIVATE PRISONS THAT HOUSE HAWAII INMATES," was referred to the Committee on Legislative Management with Representatives Nakasone, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1533-08), recommending that H.R. No. 11, as amended in HD 1, 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. 11, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AN ELECTROCARDIOGRAM WIRELESS TRANSMISSION PROJECT TASK FORCE," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1534-08), recommending that H.C.R. No. 10, as amended in HD 1, 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. 10, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH AN ELECTROCARDIOGRAM WIRELESS TRANSMISSION PROJECT TASK FORCE," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1535-08), recommending that H.R. No. 270, as amended in HD 1, 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. 270, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1536-08), recommending that H.C.R. No. 326, as amended in HD 1, 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. 326, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1537-08), recommending that H.R. No. 160, 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. 160, entitled: "HOUSE RESOLUTION REQUESTING COUNTIES TO DEVELOP AND IMPLEMENT PROGRAMS TO ENCOURAGE RETAILERS TO INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE ALTERNATIVES TO NON-BIODEGRADABLE PLASTIC BAGS," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1538-08), recommending that H.C.R. No. 191, 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. 191, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING COUNTIES TO DEVELOP AND IMPLEMENT PROGRAMS TO ENCOURAGE RETAILERS TO INCREASE THE USE OF ENVIRONMENTALLY PREFERABLE ALTERNATIVES TO NON-BIODEGRADABLE PLASTIC BAGS," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1539-08), recommending that H.R. No. 290, as amended in HD 1, 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. 290, HD 1, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1540-08), recommending that H.C.R. No. 353, as amended in HD 1, 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. 353, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1541-08), recommending that H.R. No. 223, as amended in HD 1, 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. 223, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE RESEARCH CORPORATION

OF THE UNIVERSITY OF HAWAII AND THE INTERDISCIPLINARY TEAM REVIEWING CHAPTERS 341, 343, AND 344, HAWAII REVISED STATUTES, TO REVIEW THE FEASIBILITY AND IMPACT OF REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT TO INCLUDE EFFECTS OF A PROPOSED ACTION AS A CONTRIBUTOR TO CLIMATE CHANGE," was referred to the Committee on Higher Education with Representatives Nakasone, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1542-08), recommending that H.C.R. No. 263, as amended in HD 1, 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. 263, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE RESEARCH CORPORATION OF THE UNIVERSITY OF HAWAII AND THE INTERDISCIPLINARY TEAM REVIEWING CHAPTERS 341, 343, AND 344, HAWAII REVISED STATUTES, TO REVIEW THE FEASIBILITY AND IMPACT OF REQUIRING AN ENVIRONMENTAL IMPACT STATEMENT TO INCLUDE EFFECTS OF A PROPOSED ACTION AS A CONTRIBUTOR TO CLIMATE CHANGE," was referred to the Committee on Higher Education with Representatives Nakasone, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1543-08), recommending that H.R. No. 238, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.R. No. 238, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO REPORT ON THEIR WORK TO ENSURE PROTECTION FOR NEWBORNS SUBSEQUENT TO THE PASSAGE OF ACT 7 OF THE 2007 SPECIAL SESSION AND TO CONDUCT A FEASIBILITY STUDY ON IMPROVING HAWAII'S BABY SAFE HAVEN LAW TO DETERMINE BEST PRACTICES FOR A SAFE SURRENDER BY REVIEWING BABY SAFE HAVEN LAWS IN OTHER STATES," was referred to the Committee on Judiciary with Representatives Nakasone, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1544-08), recommending that H.C.R. No. 284, as amended in HD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.C.R. No. 284, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF HUMAN SERVICES TO REPORT ON THEIR WORK TO ENSURE PROTECTION FOR NEWBORNS SUBSEQUENT TO THE PASSAGE OF ACT 7 OF THE 2007 SPECIAL SESSION AND TO CONDUCT A FEASIBILITY STUDY ON IMPROVING HAWAII'S BABY SAFE HAVEN LAW TO DETERMINE BEST PRACTICES FOR A SAFE SURRENDER BY REVIEWING BABY SAFE HAVEN LAWS IN OTHER STATES," was referred to the Committee on Judiciary with Representatives Nakasone, Sonson and Takai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1545-08), recommending that H.C.R. No. 164, 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. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," was referred to the Committee on Consumer Protection & Commerce with Representatives Nakasone, Sonson and Takai being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1546-08), recommending that H.C.R. No. 73, as amended in HD 1, 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. 73, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO RECOMMEND TO THE FEDERAL GOVERNMENT FUNDING REFORMS FOR HAWAII'S MEDICAID AND QUEST PROGRAMS," was referred to the Committee on Finance with Representatives Nakasone, Sonson and Takai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1547-08), recommending that H.C.R. No. 43, HD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 43, HD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support of this Committee report, and HCR 43, HD 1. In 2007, our Heisman Trophy candidate and team leader Colt Brennan complained about the athletic department's failure to provide soap for its athletes. As we were to learn this was only the tip of the iceberg.

"Right after the 2008 Sugar Bowl game, head football coach June Jones announced that he was leaving for Southern Methodist University. Why did Coach Jones want to leave the University of Hawaii after leading the football team to their first undefeated regular season and first outright WAC title in school history?

"Mr. Speaker on March 27, 2008 before your Committee on Legislative Management, our new athletic director, Jim Donovan actually apologized to our Committee Members at that hearing. He had indicated that previous information provided to the Legislature in May of 2007 was not correct. In fact, Mr. Donovan went on to describe the information as, 'evasive and inaccurate financial information' which the athletic department provided the State lawmakers in May.

"I applaud our new athletic director for his candor. According to Donovan, the financial accumulated debt of the University of Hawaii athletic department over the past five years was approximately $4.4 million, and not the $2 million that Frazier and other administrators had indicated.

"For all of the foregoing reasons, I support the management financial audit of the UH Athletics Department, which will ultimately improve the Department's operations and benefit our new athletic director by identifying the Department's strengths and areas of

concerns and providing a starting point to manage on. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 43, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A MANAGEMENT AND FINANCIAL AUDIT OF THE UNIVERSITY OF HAWAII AT MANOA'S ATHLETIC DEPARTMENT," was referred to the Committee on Finance with Representatives Nakasone, Sonson and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1548-08), recommending that S.C.R. No. 52, as amended in HD 1, be referred to the Committee on Tourism & Culture.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 52, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE HAWAII TOURISM AUTHORITY TO IMPLEMENT PROGRAMS TO INCREASE VISITORS FROM TAIWAN, AND REQUESTING THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN," was referred to the Committee on Tourism & Culture with Representatives Nakasone, Sonson and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1549-08), recommending that S.C.R. No. 53, SD 1, as amended in HD 1, be referred to the Committee on Economic Development & Business Concerns.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 53, SD 1, HD 1, be referred to the Committee on Economic Development & Business Concerns, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1549, Requesting the President of the United States to Enter into a Free Trade Agreement with Taiwan, I'd like to request that my vote be recorded with reservations and if I could just make a couple comments too, please. Thank you.

"With regard to free trade agreements an argument was made earlier that free trade agreements actually spread democracy around the world. I think the jury is really still out on that. I think the freer the trade has gotten with the People's Republic of China, there's not any appreciable political change. It's still a totalitarian government. And in fact there's an academic argument these days that indicate that the free trade and the increased prosperity has resulted in, at least for some of the population in China as a result of trade with the United States, has resulted in the People's Party being able to hang on to power easily when they could without it.

"So I'm not sure that the argument that free trade promotes democracy actually holds up. Mahalo."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker I rise in support of the measure with just a couple of brief points about China. First of all I think we've learned from history, engagement is containment. As you engage people in trade, in diplomacy, in cultural exchanges, you tend to contain their more authoritarian or totalitarian tendencies and that's one of the ways that Glasnost and the whole movement of the Soviet Union to where it is today in which we are now in the process of doing with China.

"China of course is 5,000 years old. To move in 50 years, since Mao Tse-tung is probably a little bit more difficult to expect, but I think we should know and this body should know that mayoral races and below are all free and democratic.

"The peasants of China elect their own elected officials. If it goes to the mayor and above, it's all appointed. But it is evolving. Even Hong Kong, I think in 2019, is going to be able to elect its own Parliament and not have appointments from Beijing mixed with local elections that are right now in the Hong Kong populace.

"So it takes time to be democratic, it took us a long time before we kind of came out of the caves and became Jeffersonians and Hamiltonians and others. But I think the rest of the world as I said, statistically 50 percent in the number of countries that have been democratic in the last 30 years, is a definite march toward freedom, and free trade is one of the drivers of that. Thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This Resolution merely asks the President, and I don't know if he's really going to listen to us, but this is not talking about a trade agreement that has been concluded. I will obviously wait until, if and when a trade agreement is concluded with Taiwan, to see whether or not it contains the kind of aspects of a trade agreement that we can all be proud.

"And one last point about Korea. The fact of the matter is trade has happened with Korea before, and it will happen after. Even if this trade agreement is passed, or not passed. We trade with Korea to the tune of $74 billion a year; that's not going to change any time soon. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 53, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was referred to the Committee on Economic Development & Business Concerns with Representatives Nakasone, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1550-08), recommending that H.C.R. No. 349, 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. 349, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF MEDICAL TORT REFORM ON ACCESS TO HEALTH CARE," was referred to the Committee on Legislative Management with Representatives Nakasone, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1551-08), recommending that H.C.R. No. 231, be referred to the Committee on Legislative Management.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 231, be referred to the Committee on Legislative Management, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker I'm rising to cast a vote with serious reservations on HCR 231, which is requesting the Legislative Reference Bureau to study the cost of convening a

Constitutional Convention in 2010. I have serious reservations and Mr. Speaker I would like to just explain why.

"The Resolution is asking for what has been called the 'Cadillac of Constitutional Conventions'. I guess I should say the BMW or the Mercedes Benz, or the Jaguar of Constitutional Conventions. And by phrasing it that way, what it means is that the cost is going to come back to be significantly high. Instead, what the Resolution should do is to put together a group that could work out different ways of holding a Constitutional Convention where we could utilize existing government buildings, not have to pay lease rent for the period of time and also be able to utilize some of the existing staff.

"The difficulty I find with asking for a Jaguar or Mercedes Benz cost analysis is that there have been surveys that have been conducted that show that the higher the cost of a Con Con, the less likely the voters are to vote to hold a Con Con. So if you want to stop a Con Con from being held, you go and set up a system that's going to make the cost be very high. And I think that's a wrong way to do it.

"I think that people will really see through that, but why do that? Why have us pass a Resolution that's going to set up a high cost for holding the Con Con because then people will vote against it. Thank you."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I also rise in support with reservations similar to the speaker before, and just ask to make a few comments. I support the intent of this Resolution which is to determine the cost of convening a Constitutional Convention. As this Resolution moves on to your Committee on Legislative Management, I hope we take this opportunity to craft an even better approach and process to consider a Resolution that draws on a broader group of government representatives and citizens to come up with a cost figure that is reliable, and draws on the best sources of information we have available. Thank you, Mr. Speaker."

Representative Finnegan rose in support of the measure with reservations, and asked that the remarks of Representative Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Takumi rose to speak in opposition to the measure, stating:

"Mr. Speaker, I guess I don't support this Resolution. The concerns I have are obviously, this is putting the cart before the horse. You might as well ask the Legislative Reference Bureau to figure out the cost of pork bellies in 2010, because the Legislature, if and when the citizens of the State vote to have a Constitutional Convention, then this body and the Legislature will determine the parameters, the conditions, the length, the number of delegates, where it's going to be held, the whole bit, probably in the '09 session. Until we know exactly what that is, it's very difficult, in my mind, to ask anyone to throw some tea leaves up in the air and decide it's going to come at this price or that price.

"Now frankly I think the reason for this is, if it comes on the high end and those who oppose a Con Con can point to it and say, 'Look, it's going to cost too much.' If it comes out on the low end, and those who support a Con Con can say, 'Look it's not going to cost all that much.' But in fact whatever number the LRB comes up with is going to be a squishy number, because it's going to be determinant upon us to decide how much this thing is going to cost, and the cost is going to be determined again, where it's held, how much people get paid, the number of delegates, where they're going to be housed, and the whole. So I just don't know what the whole point of this Resolution is. It's far too premature. Thank you, Mr. Speaker."

Representative Meyer rose in opposition to the measure and asked that the remarks of Representative Takumi be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I ask all the Members to read the Resolution. It's actually a well-written, well-documented Resolution. It lays a lot of Whereases in terms of the history of Con Cons, where they've been held in the past, what kind of cost, what kind of funding we've done. I don't know where they come up with this analogy of, I heard before a Cadillac, now it's a BMW or a Mercedes, Jaguar. I haven't driven any of those cars, so I don't understand the analogy here.

"But Mr. Speaker, what we are talking about here is telling the people of our State before they vote, what they're voting for in terms of cost. And that's I think a fair and reasonable thing that we can ask all of us to support. To ask someone to take a leap of faith and say, 'I support a Con Con' without knowing some basic costs is unreasonable, and I think is something that we should do to inform the public.

"We've done it before. LRB is the logical one to do it. They've worked on previous Con Cons, they have the institutional knowledge and history. And to think that somehow we're going to put together a citizens' taskforce that's going to meet, convene and come up with solid recommendations by September of this year is dreaming. We've got a resource. We work with them all the time. They're solid. They can put together this report, and it's not going to cost any money. Thank you very much, Mr. Speaker. I urge all Members support it."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition. Mr. Speaker, any of us who have been in sales and marketing know that if you ask the price, it means you can't afford it. And what we're doing here is putting out the price as a Trojan Horse to make sure it looks like it can't be afforded, because already the surveys have correlated that the more the cost, the less likely to have a Con Con.

"For thirty years we have not had a Con Con. This just feeds the fire of doubts, and if people have doubts, they blank votes. What did the Supreme Court say about blank votes? Blank votes are counted as, no. So what we're doing is really sabotaging this thing by talking about it, putting a price tag on it, and telling the people they can't afford it.

"Well I think it's the opposite. We can't afford not to have one. We can't afford not to have new ideas, new people. Some of the people sitting here actually came in from the Con Con in 1978: Representative Marumoto, Representative Souki, etc. These are good for democracy. It's good for governance.

"What we've got here, we're going show up on a bulletin board of here's how much it's going to sock you, because we're bleeding the people of Hawaii with the cost of living that this body year after year ..."

The Chair addressed Representative Ward, stating:

"Representative Ward, you are out order. Please refer …"

Representative Ward: "The cost of living is not going up in Hawaii?"

Speaker Say: "We're not talking about the cost of living."

Representative Ward: "Because this Resolution is going to scare the people and say, 'Well, we can't really afford it.' That's my point, Mr. Speaker."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I was going to vote for this Resolution, but I'd like to cast a no vote. For the record, I don't support a Con Con, but the price of a Con Con shouldn't be used as a reason to hold, or not to hold one. If our Constitution was flawed, we should be holding a convention to fix it, at any price.

"But I don't believe our Constitution is flawed. I don't believe there is anything in our Constitution that is broken. So again, we shouldn't let the cost of a Constitutional Convention drive our decisions. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I wish to vote in favor, but let me explain. I'm actually opposed to the Constitutional Convention, but hearing the very sagacious remarks by the gentleman from the other side that this is going to probably be the 'poison pill' that's going to kill a Convention, then I will vote yes on this measure. Thank you, very much."

Representative Ching rose in support of the measure with reservations, and asked that the remarks of Representatives Takumi and Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. I would just like to respond to the Majority Leader's remarks about the Cadillac, or BMW, or Mercedes aspect. If it were really going to be fair, there would be a change on page 3, line 34. Go back to the Whereas, and it talks about when the original Con Con was held in '78 and how the government buildings were used to hold the sessions. The Honolulu Office of the IRS, old court rooms for committee meetings, auditoriums and conference rooms at the State Capitol.

"But you go into what LRB is asked to assume, and the Legislative Reference Bureau is to assume that the Con Con will be held at a leased facility in Honolulu. That's dollars. I mean, that's major dollars. So right off the bat it's setting up the stage to come back with a very high ticket price, and I think that that is wrong, and I think it's deceptive. Thank you."

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. I would just like to note my no vote. I would like to change it from an aye with reservations, to a no vote."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

At this time, Representative Meyer moved that H.C.R. No. 231, be recommitted to the Committee on Judiciary, seconded by Representative Thielen.

Representative Finnegan then requested a roll call vote at the appropriate time on the motion to recommit, and upon a show of hands, failed to carry.

The motion that H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION IN 2010," be recommitted to the Committee on Judiciary was put to vote by the Chair and failed to carry with Representatives Nakasone, Sonson and Takai being excused.

(Main Motion)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 231, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION IN 2010," was referred to the Committee on Legislative Management with Representatives Finnegan, Meyer, Morita, Pine, Takumi and Ward voting no, and with Representatives Nakasone, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1552-08), recommending that H.C.R. No. 267, 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. 267, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF ELECTIONS TO PROVIDE AN INFORMATIONAL BRIEFING AND DEMONSTRATION TO THE APPROPRIATE SENATE AND HOUSE COMMITTEES REGARDING THE OPERATION AND USE OF NEW ELECTRONIC VOTING SYSTEMS AND TO PROVIDE INFORMATION PRIOR TO CONTRACTING TO PURCHASE ANY NEW VOTING SOFTWARE OR EQUIPMENT RELATED TO ANY NEW VOTING SYSTEM," was referred to the Committee on Legislative Management with Representatives Nakasone, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1553-08) recommending that H.R. No. 260, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1554-08) recommending that H.C.R. No. 312, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1555-08) recommending that H.R. No. 208, 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. 208, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING THE DEVELOPMENT OF GOOD FAITH VALUATION STANDARDS AND NEGOTIATING PRACTICES FOR LONG-TERM INDUSTRIAL

AND COMMERCIAL REAL ESTATE LEASES IN HAWAII," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1556-08) recommending that H.C.R. No. 246, 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. 246, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING THE DEVELOPMENT OF GOOD FAITH VALUATION STANDARDS AND NEGOTIATING PRACTICES FOR LONG-TERM INDUSTRIAL AND COMMERCIAL REAL ESTATE LEASES IN HAWAII," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1557-08) recommending that H.R. No. 22, 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. 22, HD 1, entitled: "HOUSE RESOLUTION RECOGNIZING THE COURAGEOUS CONTRIBUTIONS AND SERVICE OF THE FILIPINO VETERANS OF WORLD WAR II," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1558-08) recommending that H.C.R. No. 22, 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. 22, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE COURAGEOUS CONTRIBUTIONS AND SERVICE OF THE FILIPINO VETERANS OF WORLD WAR II," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1559-08) recommending that H.R. No. 309, be adopted; and

(Stand. Com. Rep. No. 1560-08) recommending that H.C.R. No. 373, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 309 and H.C.R. No. 373, be adopted, seconded by Representative B. Oshiro.

Representative Carroll rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"There are instances in the course of history where governments of all types and sizes carry out programs with the best of intentions that in fact hurt the public they are charged to protect. With the benefit of hindsight and further research in the field of medicine, we as a state can see now that the century-long policy of segregating those afflicted with Hansen's Disease to the Kalaupapa Peninsula was one of those acts.

"The fear and hysteria surrounding the spread of Leprosy at the time separated thousands of families from each other, disconnected mothers and daughters, fathers and sons, and husbands and wives. These *'ohana*, these *kama'aina*, these children, were thrust into a new world, all alone, with only each other to comfort. Out of this heinous policy of segregation and isolation the people of Kalaupapa bound together, found strength in one another and Ke Akua, and set out to be a model to the rest of Hawaii and the world of the fortitude of the human spirit.

"The story of Kalaupapa is known around the world, not for the disease or the policy that brought it there, but for the conviction, determination, and faith the people of the peninsula had and still carry with them today. The priests and volunteers who helped them in the early days and the residents who remained strong through the adversity and built upon the foundation they were given will always be remembered.

"With this resolution we recognize the mistakes of the past, honor those who came before, and express our gratitude and our thankfulness for all those who were sent to Kalaupapa, their families and descendents so that we may learn from the past."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 309, entitled: "HOUSE RESOLUTION EXPRESSING GRATITUDE TO THE RESIDENTS OF KALAUPAPA AND THEIR FAMILIES FOR THE SACRIFICES THEY MADE LIVING IN ISOLATION ON THE ISLAND OF MOLOKAI AND FOR BEING SEPARATED FROM SOCIETY," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused; and

H.C.R. No. 373, entitled: "HOUSE CONCURRENT RESOLUTION EXPRESSING GRATITUDE TO THE RESIDENTS OF KALAUPAPA AND THEIR FAMILIES FOR THE SACRIFICES THEY MADE LIVING IN ISOLATION ON THE ISLAND OF MOLOKAI AND FOR BEING SEPARATED FROM SOCIETY," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1561-08) recommending that H.R. No. 210, 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. 210, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EVALUATE THE POSSIBILITY OF USING A CONSERVATION LAND TRUST IN THE ALA WAI WATERSHED AREA," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1562-08) recommending that H.C.R. No. 248, 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. 248, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE CITY AND COUNTY OF HONOLULU TO EVALUATE THE POSSIBILITY OF USING A CONSERVATION LAND TRUST IN THE ALA WAI WATERSHED AREA," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented two reports:

(Stand. Com. Rep. No. 1563-08) recommending that H.R. No. 230, be adopted; and

(Stand. Com. Rep. No. 1564-08) recommending that H.C.R. No. 271, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 230 and H.C.R. No. 271, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of both measures with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report 1563 and 1564, I would like to register a vote with reservations. This is a Resolution that's urging the prevention of the sale of oil and gas leases and drilling in the Chukchi and Beaufort regions of Alaska. While I have not looked at a map to see exactly where they are, Alaska is one of our States and I think if we're looking for energy security, we need to look at where we can. If it's a gas lease, you're talking natural gas and it's probably the majority of electric generating plants on the Mainland use gas and that would be a very simple thing to do.

"As far as oil that's more controversial, but I think we should be looking for more oil within the United States of America. Thank you."

Representative McKelvey rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, just real briefly in support with reservations. To me, the issue is actually not about oil or gas, but about self-determination of indigenous people. I guess I just share the same opinion of our Senior Senators in that this is for the decision of the native tribes to make as to whether or not they want to enter into leases. So I am with reservations."

Representative Ward rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, with reservations. I think it's more on the issue of national security that I would have the reservations. And that Mr. Speaker, aside from Canadian oil, and I think another country basically most of the countries that we're getting our oil would rather see the demise of the United States, rather than the continuation of it. So we've got to get off of oil dependency.

"As we know, this body is very committed, the Governor is very committed, to renewable energy and using what we have and this is one way of using what we do have. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

Representative B. Oshiro rose to speak in support of both measures, stating:

"Mr. Speaker, in support. I'll be very brief. If people would actually read the Resolution, what this is about is the failure of the Department of Interior, the federal government through the Fish and Wildlife Service, to actually properly evaluate the effect that this will have on potentially threatened polar bears and Pacific walruses and other endangered and indigenous species.

"And unfortunately, because of political 'mearangerings' going on, the Department of Interior has refused to do its duty. So what this Resolution is asking is that until and unless the Department does its proper evaluation as to the potential effects this has on these threatened species, that it engage and not go down this road which could have potential and permanent affects on these endangered species. Thank you."

Representative Souki rose to speak in support of both measures with reservations, stating:

"Mr. Speaker, I have strong reservations on these measures. We have a scarcity of oil. The price of oil in the world is high, and because of that we should not be looking in curtailing the production of oil, but rather increasing it.

"Now this sounds blasphemous to the environmentalists, and I would like to see that we maintain the beautiful *aina* and not spoil it. But I just want to make mention that I've been to Alaska a few times. I've been to Prudhoe Bay. I flew over in a very low area so I could take a good look of the terrain and the land, and I was very impressed. I didn't see any spoilage of any of the land in that area. What I witnessed was caribou migration, thousands of caribou migrating from one area to the other, with the wolves and fox on the side. I witnessed polar bears around Prudhoe Bay. The oil lines have not damaged the area, but we have benefited from the oil.

"Until we can find some better alternative energy, we're going to still be dependent upon fossil fuel whether we like it or not. I would prefer to have solar. I would prefer to have hydro. I would prefer to have windmills. But that alone will not take care of the needs that we have for this community and for the nation. So Mr. Speaker, until we develop some other alternatives, we need to continue to explore and to use fossil fuel.

"Let me make mention that some of the foreign countries that are not that dependent on fossil as we are, like France and Japan and Asia, they use atomic energy. Now when we talk about atomic energy, everybody screams. Heavens what are we going to do? We're going to blow up the whole state. France has beautiful lights. You go to Paris. It's the City of Lights, lit up with atomic energy. Now I'm not saying that we should have that, but this is what they have.

"I think we're being kind of narrow in our thinking; that we cannot go beyond the windmills. And remember the fellow who tried to attack the windmills, Don Quixote. I think we have got to get away from that paradox and live in reality. The reality is that we need energy to continue to foster the welfare of this nation. Thank you."

Representative Morita rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in support of these resolutions. Some Members have concerns regarding this measure because of self-determination issues. I wanted to share with this body an opinion piece I wrote back in 2001 regarding the Arctic National Wildlife Refuge which addresses the issue of self-determination and the energy policy of the United States and its effect on indigenous cultures.

Several months ago full-page advertisements appeared in Hawaii's newspapers thanking U.S. Senator Daniel K. Akaka for his support of the Native Alaskan Inupiat and their right to self-determination with regard to their desire to drill for oil within the Arctic National Wildlife Refuge.

Each vote in the U.S. Senate is critical to defeat oil drilling in ANWR. Both Hawaii U.S. Senators seem to be placed in a difficult position. They are both champions for the right to self-determination for native Hawaiians and other indigenous groups and both are continuing the legacy of the late U.S. Senator Spark Matsunaga's vision for hydrogen and related clean energy issues. Now these laudable causes have converged to create a conflict where our Senators seem to be "caught" in the middle. But, the decision is difficult only if one wants to craft the issue of self-determination as exclusive to the Inupiat.

While I want to respect the right to self-determination of the Inupiat it should not be at the expense of other native peoples or based on a flawed energy policy. The Bush energy policy will signal the death of many other indigenous peoples of the world, especially Pacific Islanders suffering the effects of global warming and rising sea levels. Oil drilling in ANWR represents the continuation of over-consumption by the United States of finite resources without regard to the impacts on other areas or people of the world. The moral issues and consequences of the Bush energy policy is too great to use Native Alaskans as pawns in this debate pitting the interests of one indigenous peoples against another or to use Hawaii's own sovereignty issues as bargaining chips for the future. In the larger global picture, the United States must lead the world in seeking solutions surrounding climate change issues or we will be directly responsible for the genocide of indigenous cultures as the land base, the root and foundation of self-determination, of these island cultures cease to exist. And, of course, Hawaii being an island State may face the same perils in the near future.

The United States has the technology and resources to move towards a clean energy future. Our congressional leaders' role is vital at this critical time. They can and must separate the "red herrings" from the national energy policy debate. ANWAR is a red herring that will not enhance the U.S. position to build energy security.

The right of Native Alaskans to offer their ancestral lands for oil development should be debated at another time. The larger issue before us is the United State's ability to lead the world in clean and sustainable energy policy that offer real energy security and prosperity as its benefits reflects our moral obligations to other inhabitants of this earth. These mandates should be the essence of a national energy policy and the test of true vision and leadership."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her on both measures, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 230, entitled: "HOUSE RESOLUTION URGING THE PREVENTION OF THE SALE OF OIL AND GAS LEASES AND OF DRILLING IN THE CHUKCHI AND BEAUFORT SEA REGIONS OF ALASKA," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused; and

H.C.R. No. 271, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE PREVENTION OF THE SALE OF OIL AND GAS LEASES AND OF DRILLING IN THE CHUKCHI AND BEAUFORT SEA REGIONS OF ALASKA," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented two reports:

(Stand. Com. Rep. No. 1565-08) recommending that H.R. No. 83, be adopted; and

(Stand. Com. Rep. No. 1566-08) recommending that H.C.R. No. 101, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 83 and H.C.R. No. 101, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of both measures, stating:

"In strong support of both measures."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 83, entitled: "HOUSE RESOLUTION RECOGNIZING PATSY TAKEMOTO MINK FOR CHAMPIONING THE CAUSE OF EQUITY IN ATHLETICS AND EDUCATION ON BEHALF OF ALL WOMEN IN THE UNITED STATES," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused; and

H.C.R. No. 101, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING PATSY TAKEMOTO MINK FOR CHAMPIONING THE CAUSE OF EQUITY IN ATHLETICS AND EDUCATION ON BEHALF OF ALL WOMEN IN THE UNITED STATES," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1567-08) recommending that H.R. No. 99, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1568-08) recommending that H.C.R. No. 116, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1569-08) recommending that H.R. No. 142, 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. 142, entitled: "HOUSE RESOLUTION URGING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION TO IMPLEMENT A PLAYOFF SYSTEM TO DETERMINE A NATIONAL CHAMPION IN THE FOOTBALL BOWL SUBDIVISION OF COLLEGIATE FOOTBALL," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1570-08) recommending that H.C.R. No. 169, 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. 169, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE NATIONAL

COLLEGIATE ATHLETIC ASSOCIATION TO IMPLEMENT A PLAYOFF SYSTEM TO DETERMINE A NATIONAL CHAMPION IN THE FOOTBALL BOWL SUBDIVISION OF COLLEGIATE FOOTBALL," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1571-08) recommending that H.R. No. 193, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1572-08) recommending that H.C.R. No. 226, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1573-08) recommending that H.R. No. 234, 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. 234, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO THE "MYRON THOMPSON SCHOOL OF SOCIAL WORK"," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1574-08) recommending that H.C.R. No. 276, 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. 276, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO THE "MYRON THOMPSON SCHOOL OF SOCIAL WORK"," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1575-08) recommending that H.R. No. 91, 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. 91, entitled: "HOUSE RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION PROVIDING VETERANS BENEFITS TO FILIPINO VETERANS WHO SERVED OUR NATION IN WORLD WAR II," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Cabanilla, for the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1576-08) recommending that H.C.R. No. 109, 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. 109, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007, OR SIMILAR LEGISLATION PROVIDING VETERANS BENEFITS TO FILIPINO VETERANS WHO SERVED OUR NATION IN WORLD WAR II," was adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1577-08) recommending that H.C.R. No. 239, 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. 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 adopted, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1578-08) recommending that S.B. No. 2401, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2401, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1579-08) recommending that S.B. No. 2399, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2399, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING

OBSOLETE OR UNNECESSARY PROVISIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1580-08) recommending that S.B. No. 2898, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2898, SD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to Stand. Com. Rep. No. 1580 relating to the agreement. I just want to say that we're small. We shouldn't be inferior about it, but we should be proud. And I'll submit the rest of my comments in the Journal."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in strong opposition to this measure and appreciate the opportunity to speak against its passage.

"The Electoral College has been serving American politics for more than 200 years. But recently, due to a close election for the U.S. Presidency, some people at both the local and national level have been advocating a change in the way we elect our Presidents.

"So, Mr. Speaker, here we go again! This time the Senate has sent over SB2898 that will take away the advantage that a small state like Hawaii has over big states.

"This bill, like HB3013, is another misinformed attempt to enable the winner of the presidential election to be determined by national popular vote rather than the Electoral College. The bill adds a new chapter to the Hawaii Revised Statutes, to enact agreement that allows member states to determine the winner of a presidential election by "national popular vote."

"Our founding fathers knew better. They understood the nuances of political contests, particularly the importance of small states and the possible tyranny of large states overwhelming national presidential elections. They understood especially how small states could be affected if only the popular vote counted. For example if one voted in Hawaii's 2004 presidential election, it was a likely vote for John Kerry, but under the proposed new system, your vote would have gone to George W. Bush.

"Likewise, if someone in Hawaii's 1988 presidential election voted for Michael Dukakis the vote would have only counted for Bush (Senior), and in Hawaii 1968 presidential election between Hubert Humphrey and Richard Nixon, a vote for Humphrey would have become a vote for Nixon. Is this the kind of 'kapakahi' results we want in Hawaii?

"The best description in understanding the Electoral College is a sports analogy. In baseball's World Series, for example, the team that scores the most runs overall is like a candidate who gets the most votes. But to become the World Series champion, it is the team that wins the most games who becomes the winner of the series. So no matter how many runs (votes) you get, you still have to win the most games (state ballots). No one calls the World Series unfair just because the team that got the most runs loses, right? It is all about the games, just like in politics it is all about the states.

"Another downside for our nation with a proposed plurality ballot would be that "urban America," particularly the large states on the east coast (e.g. New York) and west coast (e.g. California) will be the dominant player at the expense of "rural America." Stated differently, imagine the urban core of Honolulu deciding for the entire state of Hawaii who should be our next governor and you can see how this allows a national advantage of large states and large cities to dominate. I believe the values of farmers and small town Americans are just as important (if not more important) as big city values and voters, so the Electoral College is the best way to filter for these differences.

"The current Electoral College strengthens the status of minority groups, because the votes of small minorities within a state may make the difference between winning all of a state's electoral votes or none of them. It enhances the political stability of the nation by promoting a two-party system that protects that presidency from impassioned but transitory third party movements, and forces the major parties to absorb the interests of small states and minorities; and it maintains the federal system of government and representation. Each state is allocated a number of Electors equal to the number of its U.S. Representatives, plus its two senators, so Hawai`i has four electoral votes. All states have at least three electoral votes, no matter how small they are.

"Hawaii needs more tax relief for our over-burdened families, expanding access to quality healthcare while reversing the financial problems plaguing our doctors and hospitals, developing more transitional shelters and affordable housing while fixing potholes, harbors and airports; we do not need some national agenda about a grudge match to distract us from the tasks at hand.

"As one of the smallest states in the nation, it does not seem strategically wise to give up our comparative advantage offered us by the Electoral College. Senate Bill 2898 SD1 asks us to do this. Last year a similar bill was vetoed by Governor Lingle. The only thing left to say about this bill is: "Mahalo for your veto, Governor, get your pen ready for this year too." Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am voting with reservations, in spite of the op-ed that was written by a colleague."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. And would like to thank that colleague for writing that article."

Representative McKelvey rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2898, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Second Reading and was placed on the calendar for Third Reading with Representatives Belatti, Ching, Finnegan, McKelvey, Meyer, Pine and Ward voting no, and with

Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1581-08) recommending that S.B. No. 3105, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3105, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1582-08) recommending that S.B. No. 2882, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2882, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1583-08) recommending that S.B. No. 2459, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2459, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1584-08) recommending that S.B. No. 1617, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1617, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1585-08) recommending that S.B. No. 2301, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2301, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Standing Committee Report 1585-08, with reservations. This bill authorizes extended terms of imprisonment, and this bill does not include appropriation language to reflect the impacts on staffing and facilities of the Department of Public Safety. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2301, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1586-08) recommending that S.B. No. 2436, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2436, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. This bill adds a new offense to the Class C felony, and the bill does not include appropriation language to reflect the impact on staffing and facilities of the Department of Public Safety. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2436, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1587-08) recommending that S.B. No. 2456, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2456, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"With reservations. This bill adds a new offense of Class C felony and doesn't include appropriation language to reflect the impact on staffing and facilities of the Department of Public Safety."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2456, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1588-08) recommending that S.B. No. 2784, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2784, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1589-08) recommending that S.B. No.

2895, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2895, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, with reservations. This adds a new offense to Class C felony, and the bill does not include appropriation language to reflect the impacts on staffing and facilities of the Department of Public Safety."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2895, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1590-08) recommending that S.B. No. 3182, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3182, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Evans rose to speak in support of the measure with reservations, stating:

"Once more, and the last one, actually. This bill extends sentencing and the bill does not reflect appropriation language for the impacts on staffing and facilities of the Department of Public Safety."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3182, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTENDED SENTENCING," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1591-08) recommending that S.B. No. 3200, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3200, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3200, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," passed Second Reading, and was placed on the calendar for Third Reading with Representative Ward voting no, and with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering certain bills on Third Reading on the basis of a modified consent calendar. (Representatives Nakasone, Shimabukuro, Sonson and Takai were excused.)

STANDING COMMITTEE REPORTS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1592-08) recommending that S.B. No. 2258, SD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2258, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 BOARD," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1593-08) recommending that S.B. No. 2499, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2499, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Morita rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in support with some serious reservations about this measure in its current form. Mr. Speaker, I wholeheartedly support correcting the defective date in current statutes to make the *kalo* our State plant upon passage of Senate Bill 2499. However, the language in the House Draft 1 leaves me perplexed as to what the underlying motive is to further the delay making *kalo* our State plant.

"The House Draft 1 states that the "Act shall take effect only upon the completion of community dialogue with native Hawaiians and students from all islands and those who identify themselves as Hawaiians, to be completed by the department of education through its existing curriculum." The House Draft 1 puts the Department of Education in an unfair, difficult position with an unfunded mandate. When House Bill 659 was signed into law as Act 36 last year, there was no opposition to this measure during the numerous public hearings held on this measure. Unfortunately, this bill was adopted with a defective effective date.

"I need not remind this body the significance of the *kalo* to our Hawaiian culture. How can simple recognition of the significance of this one plant to our Hawaiian culture and its symbolism of sustainability turn into a political football putting the Department of Education right in the middle? Simply put, this is real *lolo*."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2499, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Shimabukuro, Sonson and Takai being excused.

At 1:28 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2258, SD 1
S.B. No. 2499, HD 1

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1594-08)

recommending that S.B. No. 2169, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1594-08 on S.B. No. 2169, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2169, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1595-08) recommending that S.B. No. 2080, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1595-08 on S.B. No. 2080, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2080, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1596-08) recommending that S.B. No. 2373, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1596-08 on S.B. No. 2373, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2373, SD 1, HD 2, were made available to the members of the House.

THIRD READING

S.B. No. 2425, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2425, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON," passed Third Reading by a vote of 46 ayes, with Representatives Awana, Nakasone, Shimabukuro, Sonson and Takai being excused.

At 1:28 o'clock p.m., the Chair noted that S.B. No. 2425, SD 1, passed Third Reading.

ANNOUNCEMENTS

Representative Herkes: "Thank you, Mr. Speaker. Mr. Speaker I can't let this day pass without remembering what happened 62 years ago this morning when a major tsunami hit these islands and caused deaths on all major Hawaiian Islands.

"Mr. Speaker, I saw that wave and I saw it wipe out a 100-ton span of railroad bridge on the Wailuku River in Hilo. That wave destroyed Hilo. We learned from that wave and we moved all buildings *mauka* of the road. Then came the 1960 wave and it wiped out all those buildings.

"After the 1960 wave, I helped clean up our hotel after that. The force of the water is unbelievable. There was sand embedded in sealed liquor bottles. There was a straw stuck in a telephone pole.

"This morning I was watching the History Channel and they were talking about the 2004 tsunami that killed 250,000 people. Mr. Speaker, what have we learned since then? I'm not sure. We're updating our tsunami inundation maps, but when are we going to use this information to amend our land use maps, our building codes to protect our people and our belongings from all major disasters that impact these islands?

"We seem to have a preoccupation with hurricanes and things like hurricane clips. They'd sure do a lot of good in a tsunami. And I have read that a crisis is a terrible thing to waste, but we've wasted them year after year after year. When are we going to learn?

"The events of the 1946 and 1960 tsunamis are seared into my brain, and that's why I sound like a broken record on this issue. Thank you, Mr. Speaker."

Representative Caldwell: "Mr. Speaker, no matter what one's age it's very difficult when you lose a parent, and during the last year and this year several of us have lost parents, and we know what it's like to have that experience.

"Yesterday, the Governor of our State, Governor Linda Lingle lost her mom, and so at the end of today's session, I'd like to request, with the Speaker's permission, to have a moment of silence to reflect on that and to extend our sincerest condolences to the Governor. Thank you, very much."

Representative Souki: "Mr. Speaker, I would like to request a waiver of the 48-hour notification, please. The waiver is to hold a public hearing on the Aloha Airlines bankruptcy. It will be held at the Auditorium at 8:30 a.m. tomorrow. You will have the Committees on Transportation, Tourism, and Labor jointly holding the hearing. We hope to have representatives from the airlines, from the Governor's office, from the Hawaii Tourism Association, from the Hotel Association, and also from DBEDT. We hope that we'll have some enlightenment from the bankruptcy that has happened through this public meeting.

"Again, this informational briefing will be held in the Auditorium at 8:30 a.m., prompt. Thank you, Mr. Speaker."

Representative Yamane: "Mr. Speaker, just to clarify. This is an informational briefing and not a hearing. It will be held in the Auditorium."

Representative Ward: "Mr. Speaker, I have a national day announcement. On April 1, 1979 the nation of Iran was formed. Its 71 million people is larger slightly than the State of Alaska. And of it's many contributions oil, energy and the sport of kings, polo. Thank you, Mr. Speaker."

Representative Luke: "Mr. Speaker, on the Members' desk there is a notice for a Foodbank fundraiser and a *natto* sale. Our office is not selling *natto*. Clearly, the Majority Leader has too much time on his hands. So I beg you to give him more things to do so he doesn't waste his time doing an April Fool's joke. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the late Ms. Mildred Cutter, mother of the Honorable Governor Linda Lingle.

ADJOURNMENT

At 1:35 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 2, 2008. (Representatives Nakasone, Shimabukuro, Sonson and Takai were excused.)

HOUSE COMMUNICATION

House Communication dated April 1, 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. 2524, SD 1
H.B. No. 2662, HD 2, SD 2
H.B. No. 2847, SD 1
H.B. No. 2860, HD 2, SD 3

FORTY-THIRD DAY

Wednesday, April 2, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Ms. Jeannin Russo of Representative Kyle T. Yamashita's office, after which the Roll was called showing all members present with the exception of Representatives Nakasone, M. Oshiro, Takai, Ward and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 287 and 288) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 287, dated March 28, 2008, transmitting the Report from the Department of Transportation on Section 264-18, Hawaii Revised Statutes.

Gov. Msg. No. 288, dated March 24, 2008, transmitting the 2007 State of Hawaii's Sister States – A Report to the Legislature prepared by the Department of Business, Economic Development & Tourism.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 421 through 424) were received and announced by the Clerk:

Sen. Com. No. 421, transmitting S.C.R. No. 77, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY," which was adopted by the Senate on April 1, 2008.

Sen. Com. No. 422, transmitting S.C.R. No. 201, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A TASK FORCE TO ASSIST IN DEVELOPING A MASTER PLAN FOR LONG-TERM CARE FOR LEAHI HOSPITAL," which was adopted by the Senate on April 1, 2008.

Sen. Com. No. 423, transmitting H.B. No. 3325, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT," which passed Third Reading in the Senate on April 1, 2008.

Sen. Com. No. 424, transmitting H.B. No. 2810, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," which passed Third Reading in the Senate on April 1, 2008.

Representative Caldwell moved to disagree to the amendments made by the Senate to H.B. No. 2810, HD 1, SD 1, seconded by Representative B. Oshiro and carried. (Representatives Nakasone, M. Oshiro, Takai, Ward and Waters were excused.)

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Thielen introduced three fifth-grade classes from Le Jardin Academy, accompanied by teachers: Ms. Joyceline Lee, Mr. Dale Coursey and Ms. Suzie Gamble; and chaperones: Ms. Sharon Kuchenbecker, Ms. Maite Bonis, Ms. Gina Kerzie, Ms. Sasha Kent, Ms. Sharon Miscovich, Ms. Melissa Stark, and Mr. Dennis Tanaka.

Representative Thielen also introduced her granddaughter, Emma Helper, a fifth grade student at Le Jardin Academy.

Representative Herkes introduced Hawaii Science Fair participants, from Volcano School of Arts and Sciences Charter School, Nicolyn Helen Charlot; from Konawaena Middle School, Trevor Yamagata and Talmage Nakamoto.

Representative Marumoto introduced fourteen fifth grade students from Kaimuki Christian School, accompanied by teacher, Mrs. Chau Sachs.

Representative Green introduced Ms. Leena Burian, who received an award on behalf of the late Mr. Hal Kahikina, an advocate for those who suffered traumatic brain injury.

Representative Green also introduced Hawaii Science Fair participants, from Kealakehe High School, Nathaniel Goodale, Mia Jackson, Emma Leonard, Roya Sabri, Conrad Sanborn and Malia Ann Santos; accompanied by teacher, Ms. Lisa Diaz.

Representative Chang introduced Hawaii Science Fair participants from Hilo as follows:

Connections Charter School - Tamiah Danakuuipo Johnson, Rebecca Kyota and Clara Robinson;

Hilo Intermediate School - Megane E. Cabison, Emma Rose Davis, Shalila S. de Bourmont, Kendra Akemi Fujioka, Tracee Fukunaga, Tyler K. Hirakawa, Rei E. Izawa, Jonah Kuwahara-Hu, Karina Ann Lawrence, Chris Lowe, Andrew S. Mautz, Bindu Clearwater Nicholson, Kathy Ann Tomoe Oyadomari, Erica Sampaga, Natalie Rose Strauss and Hannah Kamana'o'i'o Trainer, accompanied by teacher, Ms. Pascale Pinner;

St. Joseph Junior and Senior High School - Catelyn Sumiko Hakoda and Alyxandra C. Hopkins;

Waiakea High School - Frank K. Chi, Chad M. Higa, Justin M. Ignacio, Nolan Kamitake, Mali'o Kodis, Kelson A. Lau and Chelsea G. Takahashi;

Waiakea Intermediate School - Mattew R.K. Camacho, Lauren H. Hill, Teya C. Jensen, Dane T. Sako, Owen P. Sandstrom and Mark T. Seu, accompanied by chaperone, Mr. Steven Zeiher.

Representative Takamine introduced Hawaii Science Fair participants, from Kohala Middle School, Elias Hood and Andrew Trump; accompanied by advisors, Mr. Lyle Case and Mr. Boyd Bond.

Representative Tsuji introduced the Hawaii Science Fair participants, from Keaau High School, Stephanie A. Doan, Djon Raffniel T. Marcos, Michelle A. Tagorda; and from Kamehameha School, Hawaii Campus, Sarah K. Barry, Gina M. McGuire and Dallas K. Tada, accompanied by chaperone, Mr. Kaaa.

Representative Evans introduced Hawaii Science Fair participants, from Parker School, Mariah Haight; from Hawaii Preparatory Academy, Torin H. Kubo and Meimei H. Nakahara; from Kanu O Ka 'Aina Charter School, Kawaianiani Plunkett and Lei'ohu Santos-Colburn; from Hualalai Academy, Nicholas Steger; accompanied by Hawaii district advisor, Dr. Marlene Hapai, and Hawaii Preparatory Academy advisor, Mr. Ben Wolfe.

Representative Hanohano introduced Hawaii Science Fair participant from Hawaii Academy of Arts and Sciences, Kobie Clarke.

Representative Tokioka, on behalf of Representatives Morita and Sagum, introduced Kauai Science Fair participants, Danielle White, Kathryn Jary, Megan Walsh, Tasha Clemente, Debra Gochros, Kara Dastrup, Christen Wilson, Daisy Leberato, Alexys Bermudez and Jim Cox.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
79	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
114, SD1	Committee on Education, then to the Committee on Finance
115, SD1	Committee on Education, then to the Committee on Finance
192	Jointly to the Committee on Higher Education and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
231	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:
69	Committee on Judiciary

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
2218, SD1, HD1	Committee on Human Services & Housing, then to the Committee on Finance

At this time, the Chair stated:

"Members please note that Senate Bill 2141, HD 1 has been re-referred solely to the Committee on Human Services & Housing per Committee Referral Sheet No. 69, which was placed on you desk today. The Committee on Judiciary waived its referral to this measure, and therefore it is appropriate for the House to consider action for passage of Third Reading on said measure."

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on S.B. No. 2141, HD 1. (Representatives Nakasone, M. Oshiro, Takai, Ward and Waters were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1148-08, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Nakasone, M. Oshiro, Takai, Ward and Waters were excused.)

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Nakasone, M. Oshiro, Takai, Ward and Waters were excused.)

UNFINISHED BUSINESS

S.B. 2141, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Third Reading by a vote of 46 ayes, with Representatives Nakasone, M. Oshiro, Takai, Ward and Waters being excused.

At 12:23 o'clock p.m., the Chair noted that S.B. No. 2141, HD 1, passed Third Reading.

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 330) was announced by the Clerk and the following action taken:

H.R. No. 330, entitled: "HOUSE RESOLUTION COMMENDING AND HONORING THE RECIPIENTS OF THE SMALL BUSINESS ADMINISTRATION'S 2008 SMALL BUSINESS AWARDS," was offered by Representative Yamashita.

Representative Yamashita moved that H.R. No. 330 be adopted, seconded by Representative Wakai.

Representative Yamashita recognized the importance of small business to Hawaii and commended the contributions of the Hawaii 2008 Small Business Awardees.

Representative Wakai introduced the following honorees seated on the floor of the House:

Mr. Johnson Choi, President of the Hong Kong, China-Hawaii Chamber of Commerce, and winner of the 2008 Minority Small Business Champion Award;

Mr. Thomas Park, owner of the Leather Soul LLC footwear shop, and winner of the 2008 Young Entrepreneur of the Year Award; and

Mr. William Spencer, of the Hawaii Venture Capital Association, and winner of the 2008 Financial Services Champion of the Year Award.

Representative Tsuji introduced the following honorees seated on the floor of the House:

Mr. David Fell of Hawaiian Sunshine Nursery, Inc. who was represented by his wife, Ms. Sandy Kasman, and winner of the 2008 Small Business Exporter of the Year Award; and

Mr. Rex Matsuno of Suisan Co. Ltd, and winner of the 2008 Entrepreneurial Success Award.

Representative Yamashita introduced the following honorees seated on the floor of the House:

Ms. Pamela Tumpap, Maui Chamber of commerce, and winner of the 2008 Small Business Journalist of the Year Award;

Mr. Jonathan Ota of Tip Top Café & Bakery, and winner of the 2008 Family-Owned Small Business of the Year Award; and

Ms. Beverly Gannon of Haile Maile General Store, Celebrations, and Joe's in Waialea, and winner of the 2008 Small Business Person of the Year Award.

Representative Yamashita then introduced friends and family seated in the gallery, as well as Mr. Andrew Poepoe of the Small Business Administration in Hawaii, and his staff.

Representative Tokioka further congratulated Mr. Jonathan Ota, and introduced his sponsor, Mr. Leland Kahuwai of First Hawaiian Bank on Kauai.

Representative Ching, on behalf of the many minority small businesses in her district, thanked Mr. Johnson Choi for his support.

The motion was put to vote by the Chair and carried, and H.R. No. 330 was adopted with Representatives Nakasone, Saiki, Takai, Ward and Waters being excused.

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Sagum introduced Ms. Nancy McMahon, State Archaeologist for Kauai.

At 12:39 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 12:49 o'clock p.m.

UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1527-08) recommending that S.B. No. 1802, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1802, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 44 ayes, with Representatives Awana, Cabanilla, Green, Nakasone, Takai, Ward and Waters being excused.

At 12:50 o'clock p.m., the Chair noted that S.B. No. 1802, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1597-08) recommending that H.R. No. 106, 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. 106, HD 1, entitled: "HOUSE RESOLUTION REQUESTING A STUDY ON CONSTRUCTION," was adopted, with Representatives Nakasone, Takai, Ward and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1598-08) recommending that H.C.R. No. 124, 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. 124, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY ON CONSTRUCTION," was adopted, with Representatives Nakasone, Takai, Ward and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1599-08) recommending that H.C.R. No. 230, 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. 230, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF SEPTEMBER 1 – SEPTEMBER 7 AS HAWAII LABOR HISTORY WEEK," was adopted, with Representatives Nakasone, Takai, Ward and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1600-08) recommending that S.B. No. 2997, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2997, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

At 12:51 o'clock p.m., the Chair noted that S.B. No. 2997, SD 1, HD 1, passed Third Reading.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1601-08) recommending that S.B. No. 2054, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1601-08 on S.B. No. 2054, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2054, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1602-08) recommending that S.B. No. 2730, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1602-08 on S.B. No. 2730, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the

State of Hawaii, printed copies of S.B. No. 2730, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1603-08) recommending that S.B. No. 2886, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1603-08 on S.B. No. 2886, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2886, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1604-08) recommending that S.B. No. 2867, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1604-08 on S.B. No. 2867, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2867, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1605-08) recommending that S.B. No. 2825, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1605-08 on S.B. No. 2825, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2825, SD 1, HD 2, were made available to the members of the House.

THIRD READING

S.B. No. 2363, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2363, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

S.B. No. 3203, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 3203, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

S.B. No. 2401, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2401, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

S.B. No. 2399:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2399, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

S.B. No. 2898, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2898, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," passed Third Reading by a vote of 39 ayes to 8 noes, with Representatives Belatti, Berg, Ching, Finnegan, Manahan, McKelvey, Meyer and Pine voting no, and with Representatives Nakasone, Takai, Ward and Waters being excused.

S.B. No. 3105, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 3105, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS," passed Third Reading by a vote of 47 ayes, with Representatives Nakasone, Takai, Ward and Waters being excused.

At 12:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2363, SD 2, HD 1
S.B. No. 3203, SD 1, HD 1
S.B. No. 2401, SD 1
S.B. No. 2399
S.B. No. 2898, SD 1
S.B. No. 3105, SD 1

ANNOUNCEMENTS

Representative Thielen: "Thank you Mr. Speaker if I may be permitted after the fact, to put in the names of all the students from Le Jardin into the Journal. Thank you."

Ms. Dale Coarsey's class: Luke Auten, Justis Bell-Williams, Kai Bonis-Erickson, Joey Braun, Alexandrea Deuchar, Ariana Felix, Shane Fogg, Michael Gabrelcik, Cole Green, Andi Hamocon, Emma Helper, Christian Jones, Mark Kelley, Madison Kemp, Kacey Kuchenbecker, Cierra Lauro, Andrew Onofrietti, Gabby Smith, Nicole Tanaka, Renee Van Bergeijk and Kaley Vatalaro.

Ms. Suzie Gamble's class: Ian Armstrong, Chris Baker, Erin Cundiff, Kyle Fox, Kelly Fricke, Sara Gallagher, Megan Goo, Brandon Ho, Chase Kessler, Noelani McAfee, Niko Noel, Matthew Patterson, Giselle Sadler, Devin Sandoval, Steph Siow, Amanda Stark, Janine Tierney, Alec Turner, Matthew Vincent, Mala'e Wilcox and Alyse Whitcomb.

Ms. Joyceline Lee's class: Evan Armsden, Gabriel Bell-Williams, Malia Belnap, Hank Bley, Heather Burns, Ken Colombe, Anna Delay, Ryan Hambalek, Chirstina Hill, Mario Kaluhiokalani, Felice Langkamp, Tyler Lunow-Luke, Hunter Manson, Scott McWhirter, Julia Miscovich, Kevin O'Shea, Kivalu Ramanlal, Kasey Tamamoto, Aaron Tod, Krystin Wong and Brian Yap.

Representative Karamatsu: "Mr. Speaker your Committee on Water, Land, Ocean Resources & Hawaiian Affairs will be reconvening at 1:15 in Room 312 for the purpose of continuing our hearing on Senate Bill 3048, SD 1, Relating to the Hawaiian Homes Commission Act."

Representative Karamatsu, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs also requested a waiver of the 48-hour notice requirement for the purpose of conducting a hearing on Friday, April 4, 2008 at 11:00 a.m. in Conference Room 312, on H.C.R. No. 348 which requests the land use commission and county councils and planning commissions of Maui and Kauai counties to

recognize vacation rental uses in single family dwellings and farm dwellings in the State agricultural districts that are not prohibited under Chapter 205 HRS, and the Chair "so ordered."

Representative Lee for the Committee on Finance requested a waiver of the 48-hour advanced notice requirement for the purpose of conducting a public hearing with decision making to follow on the following measures to be held Wednesday, April 2 at 2:30 p.m. in Room 308, and the Chair "so ordered."

S.B. No. 3138, SD 1, Relating to the Waianae Coast;
S.B. No. 2202, HD 1, Relating to Partial Public Financing of Elections;
S.B. No. 3001, SD 2, HD 1, Relating to Energy Efficiency;
S.B. No. 3080, SD 1, Relating to Hawaii Health Systems Corporation Background Checks;
S.B. No. 2785, SD 1, Relating to District Court Jurisdiction;
S.B. No. 2956, SD 1, Relating to Milk;
S.B. No. 2830, SD 2, HD 1, Relating to Caregiving; and
S.B. No. 2218, SD 1, HD 1, Relating to Electronic Monitoring.

ADJOURNMENT

At 12:56 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 3, 2008. (Representatives Nakasone, Takai, Ward and Waters were excused.)

HOUSE COMMUNICATION

House Communication dated April 1, 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 H.B. No. 2810, HD 1, SD 1.

FORTY-FOURTH DAY

Thursday, April 3, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Kahuna Nui Leimomi Mo'okini Lum, after which the Roll was called showing all members present with the exception of Representatives Meyer, Nakasone and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Third Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 425 through 433) were received and announced by the Clerk:

Sen. Com. No. 425, transmitting S.C.R. No. 101, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO IDENTIFY, DURING THE 2009 REGULAR SESSION, TWO POSSIBLE LOCATIONS TO USE AS A HEADQUARTERS SITE FOR THE SHERIFF DIVISION," which was adopted by the Senate on April 2, 2008.

Sen. Com. No. 426, transmitting H.B. No. 2467, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 427, transmitting H.B. No. 3106, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 428, transmitting H.B. No. 2460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 429, transmitting H.B. No. 2591, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 430, transmitting H.B. No. 2727, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 431, transmitting H.B. No. 2887, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TATTOOING," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 432, transmitting H.B. No. 2917, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," which passed Third Reading in the Senate on April 2, 2008.

Sen. Com. No. 433, transmitting H.B. No. 3109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," which passed Third Reading in the Senate on April 2, 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 Meyer, Nakasone and Thielen were excused.)

H.B. No. 2460, S.D. 1
H.B. No. 2591, H.D. 1, S.D. 1
H.B. No. 2727, H.D. 2, S.D. 1
H.B. No. 2887, H.D. 2, S.D. 1
H.B. No. 2917, H.D. 2, S.D. 1
H.B. No. 3109, S.D. 1

INTRODUCTION

The following introduction was made to the members of the House:

Representative Herkes introduced his wife, Mrs. JoAnna Herkes.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
77, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
201, SD1	Committee on Health, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolutions were re-referred to committee by the Speaker:

H.R. Nos.	Re-referred to:
118	Committee on Public Safety & Military Affairs
140	Committee on Judiciary

H.C.R. Nos.	Re-referred to:
137	Committee on Public Safety & Military Affairs
164	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management
166	Committee on Judiciary

The following bill was re-referred to committee by the Speaker:

S.B. No.	Re-referred to:
2454, SD1, HD1	Committee on Consumer Protection & Commerce

The following concurrent resolution was re-referred to committee by the Speaker:

S.C.R. No.	Re-referred to:

109 Committee on Public Safety & Military Affairs

INTRODUCTION OF RESOLUTION (FLOOR PRESENTATION)

The following resolution (H.R. No. 331) was announced by the Clerk and the following action taken:

H.R. No. 331, entitled: "HOUSE RESOLUTION CONGRATULATING AND HONORING FRANKLIN LEAL SULLIVAN FOR BEING SELECTED FOR INDUCTION INTO THE AMERICAN LEAGUE BOSTON RED SOX HALL OF FAME," was jointly offered by Representatives Tokioka, Herkes, Morita and Sagum.

Representative Tokioka moved that H.R. No. 331 be adopted, seconded by Representative Sagum.

Representative Tokioka commended the honoree for an outstanding baseball career and congratulated him on being selected for induction into the American League Boston Red Sox Hall of Fame.

Representative Herkes further expounded on the life and career of his friend, and introduced the honoree, Mr. Frank Leal Sullivan, accompanied by his son, Mr. Mike Sullivan, who were seated on the floor of the House.

Representative Tokioka, on behalf of Representatives Sagum, Morita and Herkes, thanked Mr. Sullivan for his contribution to the game of baseball.

The motion was put to vote by the Chair and carried, and H.R. No. 331 was adopted with Representatives Meyer, Morita, Nakasone and Thielen being excused.

The following resolution (H.R. No. 332) was announced by the Clerk and the following action taken:

H.R. No. 332, entitled: "HOUSE RESOLUTION CONGRATULATING THE FARRINGTON HIGH SCHOOL BOYS VARSITY BASKETBALL TEAM FOR WINNING THE 2008 HAWAIIAN AIRLINES/HHSAA BOYS BASKETBALL DIVISION II STATE CHAMPIONSHIP," was offered by Representative Manahan.

Representative Manahan moved that H.R. No. 332 be adopted, seconded by Representative Ito.

Representative Manahan congratulated the Farrington High School Boys Varsity Basketball Team on winning their first championship in over 40 years.

Representative Ito, a Farrington High School alum, further congratulated the Boys Varsity Basketball Team.

Representative Manahan then introduced the honorees seated on the floor of the House:

Head Coach, Mr. Allan Silva; and Assistant Coach, Rocky Sauer.

Team members: Christian Hernandez, Oscar Carter, Steven Kamano, Bryson Tatupu-Leopoldo, Deo Domingo, Dio Labayog, Jordan Ibana, Charles Rocha, Joshua Wallace, Ephraim Vita, Dayton Kealoha, Michael Carter, Jayfrey Hernandez, and Larry Santiago.

Representatives Rhoads, Ching, Meyer and Berg further congratulated the Farrington High School Basketball Team and wished them future success.

The motion was put to vote by the Chair and carried, and H.R. No. 332 was adopted with Representatives Belatti, Morita, Nakasone and Thielen being excused.

LATE INTRODUCTIONS

The following late introductions were made to the members of the House:

Representative Magaoay introduced leaders in the Filipino community accompanied by their many friends, family and supporters:

Levy Domingo, Vice President of Sariling Gawa Youth Council;
Charlene Cuaresma, Community Coordinator of the Asian American Network for Cancer Awareness, Research and Training;
Helena Manzano, Project Director for Domestic Violence Action Center Pilipina Rural Project;
Lyna Burian, Vice President of the Filipino American Historical Society of Hawaii;
Tony Sagayadoro, Program Director of the Minority Organ Tissue and Transplant Education Program;
Dominador Garcia, Pastor of the WWII Filipino American Veterans;
Mila Medallon, Advisor to the Hawaii Coalition of Caregivers; and
Amy Agbayani, Vice President of the National Federation of Filipino American Association, Region XII.

Representative Souki, in recognition of Community Action Month, introduced members of Maui Economic Opportunities: Mr. Sandy Baz, Director; Ms. Lyn McNeff, Deputy Director; Mr. Harry Johnson, Transportation Director; and Mr. Paul James Brown, Developmental Director.

Representative Cabanilla introduced Filipino Veteran advocate, Mrs. Abelina Shaw.

At 12:42 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:27 o'clock p.m., with Vice Speaker Chong presiding.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Belatti, Herkes, Magaoay, Morita, Nakasone, Sonson and Thielen were excused.)

UNFINISHED BUSINESS

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1594-08) recommending that S.B. No. 2169, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2169, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES," passed Third Reading by a vote of 44 ayes, with Representatives Belatti, Herkes, Magaoay, Morita, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1595-08) recommending that S.B. No. 2080, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2080, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," passed Third Reading by a vote of 44 ayes, with Representatives Belatti, Herkes, Magaoay, Morita, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1596-08) recommending that S.B. No. 2373, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2373, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of SB 2373, SD1, HD2.

"Mr. Speaker, in 2005, the Legislature enacted The Uniformed Controlled Substances Act, which effectively limits the sale and purchase of non- prescription pseudoephedrine and pseudoephedrine-containing products. Pseudoephedrine is a methamphetamine and can be dangerous when consumed in larger doses. It is not only considered a precursor to turbulent methamphetamine use and subsequent addiction but is also used in the actual processing of the street-drug itself. This body can attest to the devastating effects that meth use has had on our *ohana* here in the State of Hawaii. Combating the production, sale and use of methamphetamine is a day to day battle. Fortunately, we are winning the war. I applaud the Legislature for taking action by passing this crucial piece of legislation.

"Since its inception, The Uniformed Controlled Substances Act has aided in reducing the number of clandestine methamphetamine drug labs in the State from 17 in 2005 to merely 2 in 2007. The current law requires that all purchasers of pseudoephedrine show proper identification, including address, to be recorded into the pharmacy or retail store's log for further reference. In 2006, the Legislature approved Act 171, making it even more difficult for large quantities of methamphetamine to reach our streets; however, the test of time has revealed a glitch in the current system.

"SB 2373 would effectively close a reporting loophole, by further requiring pharmacies and retailers to maintain an electronic log of sales of pseudoephedrine and related products and transmit the information to the Department of Public Safety Narcotics Enforcement Division on a monthly basis. This would inhibit purchasers from "shopping" for pseudoephedrine by purchasing the allotted amount at different locations in order to remain under the radar of drug enforcement. Accordingly, I stand in strong support of SB 2373, SD1, HD2. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2373, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," passed Third Reading by a vote of 44 ayes, with Representatives Belatti, Herkes, Magaoay, Morita, Nakasone, Sonson and Thielen being excused.

At 1:29 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2169, SD 1, HD 1
S.B. No. 2080, SD 2, HD 2
S.B. No. 2373, SD 1, HD 2

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1606-08) recommending that S.B. No. 2082, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2082, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations on this bill. I support the intent of the bill wholeheartedly, but I am concerned about the cost of returning these female prisoners, as well as where we will house them once they return. I agree that a strategic plan needs to be developed, but also believe that the lack of facilities and the resources necessary to ensure proper reintegration are bigger issues.

"The Department of Public Safety has testified that they lack the bed space in existing facilities and there are no community based housing options. There is also the potential requirement of having to take into custody offenders that get their parole or probation revoked. To ensure the success of a program of this magnitude, we need to prioritize this by deciding to commit real funds to these movements. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2082, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1607-08) recommending that S.B. No. 2088, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2088, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADVANCED FLIGHT SIMULATOR TRAINING," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1608-08) recommending that S.B. No. 2493, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, and the report of the Committee was adopted and S.B. No. 2493, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR COLLECTIVE BARGAINING COST ITEMS," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1609-08) recommending that S.B. No. 2583, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2583, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII CAPITAL CULTURAL DISTRICT," passed Third

Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1610-08) recommending that S.B. No. 2783, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2783, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Stand. Com. No. 1610, I'd like to register a no vote. I don't believe that this is an appropriate use for the Hurricane Relief Fund. I think it just creates a disturbing precedent. It gives money away to people who buy things; it gives some private businesses a price subsidy for their products and services. Mitigation devices contemplated by this grant program for property loss reduction, not life-safety purposes. Earthquake mitigation has a different purpose from the Hawaii Hurricane Relief Fund. I think this is not an appropriate use of the money. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2783, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LOSS MITIGATION," passed Third Reading by a vote of 43 ayes to 2 noes, with Representatives Meyer and Pine voting no, and with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1611-08) recommending that S.B. No. 3227, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3227, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. For Stand. Com. Report No. 1611, I am in support with reservations. Mr. Speaker, Hawaii's economy depends upon an efficient harbor system as over 98 percent of Hawaii's import goods come through our commercial harbors. Mr. Speaker, there is no doubt that the modernization of State harbors needs to be a priority and I completely support this. This measure before us will provide for expedited implementation of approximately $842 million for critically needed commercial improvements within a six-year period.

"This is my concern. The bill expands upon a partnership between the Department of Transportation Harbors Division and the Aloha Tower Development Corporation authorized through Act 127 passed by the Legislature in 2007. I'm extremely concerned when our Department of Transportation is delegating the authority for implementation of this complex, statewide harbor modernization plan to an agency that in its 27 year history has been involved in lawsuits and failed development projects.

"First let me expound on the lawsuits that the Aloha Tower Development Corporation has been involved in. In 1988, developer Honolulu Waterfront LP sued Aloha Tower Development Corporation for breach of development agreement executed in 1986. To my knowledge this case has been settled. However, in 2002 the developer, Aloha Tower LP sued Aloha Tower Development Corporation for breach of development contract agreement pursuant to their concerns with their marketplace parking. This lawsuit Mr. Speaker, is still pending.

"In 2007 Hughes Development LP sued Aloha Tower Development Corporation for breach of development agreement executed in 2004. This case is set for hearing this May.

"I did find one development agreement that didn't end up in lawsuit. This is in October of 2001. A presentation for New World Divers was provided to ATDC and five years later they did enter into a legal and binding development agreement effective June 2006. However this past December 2007, the development agreement with New World Divers was terminated by the Board. So in its 27 year history, the Aloha Tower Development Corporation has entered into four development agreements, three of which culminated in lawsuits and one which was terminated.

"My last point, Mr. Speaker is if I may make an analogy to the 2002 lawsuit against Aloha Tower Development Corporation by developer Aloha Tower LP, which is still pending. And in 2007 also by Hughes Development LP, which is set for hearing this May. These lawsuits are like torpedoes ready to explode on the Aloha Tower Development Corporation.

"Mr. Speaker I don't think its good policy to have a partnership and substantially rely on Aloha Tower Development Corporation as set forth in this bill when they haven't settled these pending lawsuits. Moreover this measure calls for $842 million which is critically needed to improve our harbors within a six-year period. This partnership of Aloha Tower Development Corporation may jeopardize such funding.

"I respectfully ask this body support the passage of this measure, but send a clear message to the perspective Chairs and Conferees should this measure be in Conference, to have our Department of Transportation seek a partnership with an organization or entity that is qualified and able to truly address the needed improvements to our commercial harbors. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Notwithstanding the flaws, mistakes, fatalities, I'm of the opinion and having gone through the hearing, that there have been some lessons learned. There has been a learning curve. And if they haven't, and if everything proves to be otherwise, certainly it should be changed.

"But I think they took on such a big project that they were a bit over their head. My assumption is, and this giving them the benefit of the doubt, that they're ready now to take on the project after having learned a lot of lessons on the Aloha Tower frontage here. Particularly regarding parking. I asked them, 'Are you going to build something similar and not have any parking so it's not going to succeed?' Because that's one of the structural flaws that injured that project. You can build something, but if people can't park at it, you can't make it work. So hopefully Mr. Speaker, this is going to be lemonade out of lemons. Thank you."

Representative Bertram rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Bertram 's written remarks are as follows:

"Mr. Speaker, I rise to speak in support with reservations to SB 3227, SD2, HD1, Relating to Harbors.

"The Aloha Tower Development Corporation was the subject of a State audit in 1987 by the Auditor, whose Report No. 87-13, found in

pertinent part: "The Aloha Tower redevelopment project is a concept that is flawed, and it should be shelved," citing a litany of systemic problems and erroneous assumptions.

"A management, performance, and financial audit of the Aloha Tower Development Corporation is appropriate at this time.

"The audit should include, but not be limited to, a study of the aforementioned three litigated cases against the Aloha Tower Development Corporation, and on whether Chapter 206J, Hawaii Revised Statues, relating to the Aloha Tower Development Corporation, should be repealed or amended before we put our harbors in the hands of ATDC."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Following my Vice Chair, I vote with reservations."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I stand in support with reservations.

"In lieu of the comments that were previously made by the Representative from Kalihi, I am forced to question why decisions are being made and supported to grant statewide jurisdiction to an agency that continues to flounder with their existing responsibilities. As a member of the Finance Committee, testimony provided only praise and support for this measure. With the information provided to me at that time, I voted up. I still believe our harbors need to be addressed and so I stand in support with reservations. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3227, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1612-08) recommending that S.B. No. 3087, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3087, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1613-08) recommending that S.B. No. 2780, SD 2, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2780, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, very much. I'm rising in opposition to Stand. Com. Rep. 1613. This is a bill that includes as public works, private construction contracts being built on public lands for commercial or for profit activity.

"The language contained in this bill seems to expand Chapter 104 in HRS into areas not envisioned or intended by the original crafters. Chapter 104D is intended to ensure fair bidding for public works projects where the State or county was funding the construction of a new facility. The Legislature has already expanded Chapter 104 in areas not originally envisioned such as SPRBS and into areas where the State or county is leasing 50 percent or more of the assignable square footage in a building. This expansion has already caused a certain amount of uncertainty as to which projects are public works and which are not.

"I'm concerned with the practicality of such a requirement. This measure requires that the governmental agency that leases that land would be the contracting agency. However this would be ineffective because that agency, like DLNR who has quite a lot of land, they would have no authority over the project as they are not a party to the contract between the private entities, and yet they would have to be overseeing the job. They're not involved in any way. They have no money to cover the work that they would have to do to provide the kind of payroll, backup that's required for public works. So this bill as written, seems very unworkable. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am also in opposition to this measure and would like to have the words of the previous speaker taken as my own. I feel that it will be a great disservice to many departments that lease out lands to commercial entities such as Transportation, Agriculture, and Health. Perhaps the land department would handle all these certified weekly payrolls that they could have to deal with when there are construction projects over a half million dollars. But this really would slow down a lot of beneficial construction projects. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2780, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC WORKS," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives Marumoto, Meyer and Ward voting no, and with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1614-08) recommending that S.B. No. 2824, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2824, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 43 ayes to 2 noes, with Representatives Meyer and Ward voting no, and with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1615-08) recommending that S.B. No. 868, SD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 868, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives

Ching, Meyer and Pine voting no, and with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1616-08) recommending that S.B. No. 2163, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2163, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1617-08) recommending that S.B. No. 2191, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2191, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1618-08) recommending that S.B. No. 2315, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2315, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1619-08) recommending that S.B. No. 2977, SD 1, HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2977, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1620-08) recommending that S.B. No. 3051, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3051, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1621-08) recommending that S.B. No. 3061, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3061, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1622-08) recommending that S.B. No. 3258, SD 3, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3258, SD 3, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I've got some strong reservations on this bill. In essence, whether you had a long-term care person in that bed, or somebody who had just come out of the operating room, this bill mandates that Medicaid would have to pay at the highest amount, as if it was an acute-care bed. I think that will cause a lot of problems for DHS and just elevate the cost dramatically. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3258, SD 3, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID HOSPITAL AND LONG-TERM CARE REIMBURSEMENTS," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1623-08) recommending that S.B. No. 1793, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1793, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1624-08) recommending that S.B. No. 2891, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2891, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AEROSPACE DEVELOPMENT," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1625-08) recommending that S.B. No. 2579, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2579, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Third Reading by a vote of 42 ayes to 3 noes, with Representatives Awana, Bertram and Cabanilla voting no, and with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1626-08) recommending that S.B. No. 2345, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2345, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Third Reading by a vote of 45 ayes, with Representatives Belatti, Finnegan, Morita, Nakasone, Sonson and Thielen being excused.

At 1:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2082, SD 2, HD 1
S.B. No. 2088, SD 1, HD 1
S.B. No. 2493, HD 1
S.B. No. 2583, SD 1, HD 1
S.B. No. 2783, SD 2, HD 1
S.B. No. 3227, SD 2, HD 1
S.B. No. 3087, SD 1, HD 1
S.B. No. 2780, SD 2, HD 1
S.B. No. 2824, SD 2, HD 1
S.B. No. 868, SD 2
S.B. No. 2163, SD 1, HD 1
S.B. No. 2191, SD 2, HD 1
S.B. No. 2315, SD 2, HD 1
S.B. No. 2977, SD 1, HD 2
S.B. No. 3051, SD 2, HD 1
S.B. No. 3061, HD 1
S.B. No. 3258, SD 3, HD 1
S.B. No. 1793, SD 1, HD 1
S.B. No. 2891, SD 1, HD 1
S.B. No. 2579, SD 2, HD 1
S.B. No. 2345, SD 1, HD 1

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1627-08) recommending that S.B. No. 45, SD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 45, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Second Reading and was placed on the calendar for Third Reading with Representatives Belatti, Finnegan, Herkes, Morita, Nakasone, Sonson, Thielen and Tokioka being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1628-08) recommending that H.R. No. 176, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.R. No. 176, entitled: "HOUSE RESOLUTION SUPPORTING CONGRESSIONAL ACTION TO EXEMPT THE STATE OF HAWAII FROM FEDERAL PREEMPTION PROHIBITING STATE INSPECTION OF PLANTS, PLANT PRODUCTS, AND OTHER BIOLOGICAL ORGANISMS," was adopted, with Representatives Belatti, Finnegan, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

Representatives Tsuji and Morita, for the Committee on Agriculture and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1629-08) recommending that H.C.R. No. 208, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and H.C.R. No. 208, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONGRESSIONAL ACTION TO EXEMPT THE STATE OF HAWAII FROM FEDERAL PREEMPTION PROHIBITING STATE INSPECTION OF PLANTS, PLANT PRODUCTS, AND OTHER BIOLOGICAL ORGANISMS," was adopted, with Representatives Belatti, Finnegan, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1630-08) recommending that H.C.R. No. 49, HD 1, as amended in HD 2, 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. 49, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAYOR AND COUNTY COUNCIL OF MAUI TO EVALUATE AND, IF LEGALLY PERMISSIBLE AND PROPER UNDER STATE LAW, TO IMPLEMENT VARIOUS MEASURES REGARDING MEDICAL MARIJUANA IN THE COUNTY OF MAUI," was adopted, with Representatives Belatti, Finnegan, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

Representative Meyer rose and stated:

"Mr. Speaker, on Stand. Com. Report 1630, HCR 49, HD 2, I would like to register a no vote."

The Chair then responded:

"We are finished with the vote on that measure. We are now on Third Reading."

THIRD READING

S.B. No. 2882, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2882, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2459, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2459, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 1617, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 1617, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITING CIVIL LIABILITY," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2301, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 2301, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support of Stand. Com. Report 1585. This measure is intended to confer added protection to pregnant women by amending HRS section 706-662 by adding the classification of a pregnant woman to a select group people. It deserves special consideration.

"This special group consists of three different categories. The first category will be those that are 60 years or older. The second category will consist of people that are either handicapped or blind. And the

third will be a minor who is 8 years or younger. Again this will just add a fourth class for pregnant women. Moreover we already include pregnant women as a protected class as it relates to our employment laws under HRS section 378-2 subsection 1(a).

"If I can quote the words under that section: 'Discriminatory practices made unlawful; offenses defined. It shall be unlawful discriminatory practice because of race, sex, sexual orientation, age, religion, color, ancestry, disability or marital status, for an employer to refuse to hire or employ or to bar or discharge for employment or otherwise discriminate against any individual in compensation returns, conditions or privileges of employment.'

"In fact, the Department of Labor and Industrial Relations goes further to define pregnancy under disability and provides in their Administrative Rules section 12-46-106, 'females should not be penalized in terms of conditions of employment because they require time away from work on account of disability resulting from pregnancy or related medical conditions.'

"Mr. Speaker, we already recognize pregnancy as a protected class, as it relates to employment. Therefore I respectfully ask that we support the passage of this bill to put this category pursuant to HRS 706-662. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 2301, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2436, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2436, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2456, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 2456, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. Since the 2005 Legislative Session, I have been working on bills to update our harassment and stalking laws to include "computer communication." In addition, I have been working to create a new law to discourage impersonation. The reasoning is that more people are being harassed, stalked, and impersonated on the Internet. It has already happened to a couple of my friends.

"Senate Bill 2456 is the companion to my House Bill 2319, which proposed to add computer communication as a form of nonconsensual contact in the offense of harassment by stalking. However, Senate Bill 2456, Senate Draft 2, House Draft 1 has changed to include the policy goal of discouraging impersonation, which is from another bill of mine, House Bill 2320. Impersonation can cause irreparable damage by ruining one's reputation and even placing one in fear of his or her safety.

"The Judiciary Committee went further by creating a new definition of "harassment by impersonation." Under this definition, "A person commits the offense of harassment by impersonation if that person poses as another person, without the express authorization of that person, and makes or causes to be made, either directly or indirectly, a transmission of any personal information of the person to another by any oral statement, any written statement, or any statement conveyed by any electronic means, with the intent to harass, annoy, or alarm any person." Harassment by impersonation would be a petty misdemeanor. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to make some comments in favor of Senate Bill 2456. I'm in favor of this particular bill relating to harassment. Some of you may have read in the paper a few months ago that local attorney, Marvin Dang, was embarrassed by hundreds of emails sent out under his name. Mr. Dang might have lost business as a result of this. It may have damaged his reputation, and maybe even lost some friends. But the penalty in this bill, although it started out as a Class C felony, has dwindled down to a petty misdemeanor.

"Mr. Speaker I think we should rethink this action in Conference. As politicians, we wouldn't like to be harassed or damaged in this fashion. So I think it's a more serious offense. Thank you."

Representative Ching rose in support of the measure and asked that the remarks of Representative Marumoto be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and S.B. No. 2456, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Third Reading by a vote of 40 ayes to 1 no, with Representative Cabanilla voting no, and with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2784, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2784, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Third Reading by a vote of 41 ayes, with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 2895, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2895, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Third Reading by a vote of 39 ayes to 2 noes, with Representatives Cabanilla and Evans voting no, and with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 3182, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 3182, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EXTENDED SENTENCING," passed Third Reading by a vote of 40 ayes to 1 no, with Representative Cabanilla voting no, and with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

S.B. No. 3200, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 3200, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, very much. On Stand. Com. Report 1591, Relating to Governmental Retention of Attorneys, I'm going to register a no vote.

I think the Judiciary and the Legislature, if they feel that the AG's Office has a conflict, they can go get an attorney. With this bill, they want to get their own attorney, but they want the AG's Office to pay for it and that just seems wrong.

"The AG's office can maybe look at the qualifications of the counsel outside of theirs, but for them as if the Attorney General would hire them, they have to pay while they represent this other department like the Legislature or the Judiciary when those departments should pay for the attorney. And that's the problem I have with this bill. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition, Mr. Speaker. I say this essentially, this bill, is much ado about nothing, and is part of the IFL-phobia syndrome. It's another way of reaching out and saying that we the Legislature want to put powers back, and make sure that those who work with and for the Governor are accordingly tamed. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 3200, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENTAL RETENTION OF ATTORNEYS," passed Third Reading by a vote of 37 ayes to 4 noes, with Representatives Marumoto, Meyer, Pine and Ward voting no, and with Representatives Belatti, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Thielen and Tokioka being excused.

At 1:52 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2882, SD 1, HD 1
S.B. No. 2459, SD 2, HD 1
S.B. No. 1617, SD 1, HD 1
S.B. No. 2301, SD 1, HD 1
S.B. No. 2436, SD 1, HD 1
S.B. No. 2456, SD 2, HD 1
S.B. No. 2784, SD 1, HD 1
S.B. No. 2895, SD 1, HD 1
S.B. No. 3182, SD 1, HD 1
S.B. No. 3200, SD 1, HD 1

ANNOUNCEMENTS

Representative Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures at 2:30 in Room 308, and the Chair "so ordered."

Agenda 1
SB 3171, SD 2, HD 1, Relating to Charitable Trusts and Nonprofit Organizations,
SB 2480, SD 2, HD 2, Relating to Technology Workforce and Development,
SB 2151, SD 2, Relating to Long-term Care Ombudsman, and
SB 3102, SD 2, Relating to the Land Conservation Fund.

Agenda 2
HB 2250, Relating to Transportation.

Representative Carroll: "Thank you, Mr. Speaker. Members on Energy and Environmental Protection Committee will be having decision making in Room 312 immediately after session. Thank you."

Representative Magaoay: "For those Members who are hungry, there's still food in Room 329 if you want to eat Filipino food."

ADJOURNMENT

At 1:54 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 4, 2008. (Representatives Belatti, Chang, Finnegan, Har, Herkes, Morita, Nakasone, Sagum, Sonson, Takamine, Thielen and Tokioka were excused.)

HOUSE COMMUNICATION

House Communication dated April 3, 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. 2460, S.D. 1
H.B. No. 2591, H.D. 1, S.D. 1
H.B. No. 2727, H.D. 2, S.D. 1
H.B. No. 2887, H.D. 2, S.D. 1
H.B. No. 2917, H.D. 2, S.D. 1
H.B. No. 3109, S.D. 1

House Communication dated April 3, 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 made the following changes to the conferees on the following measures:

H.B. No. 149, HD 2, SD 2	Representative Karamatsu replaced Representative Chong as conferee.
H.B. No. 257, HD 1, SD 1	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 652, HD 2, SD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 902, HD 2, SD 3	Representative Karamatsu replaced Representative Chong as conferee.
H.B. No. 1201, HD 1, SD 1	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 1283, HD 2, SD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 1289, HD 2, SD 3	Representative Karamatsu replaced Representative Chong as conferee.
H.B. No. 1353, HD 1, SD 1	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 1516, HD 2, SD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
H.B. No. 1639, HD 2, SD 3	Representative Karamatsu replaced Representative Chong as conferee.
H.B. No. 1848, HD 2, SD 2	Representative Karamatsu replaced Representative Chong as conferee.
H.B. No. 1950, HD 1, SD 2	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 662, SD 2, HD 2	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 707, SD 2, HD 2	Representative Karamatsu replaced Representative Chong as conferee.

S.B. No. 750, SD 3, HD 2	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 898, SD 1, HD 2	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 1093, SD 2, HD 1	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 1221, SD 2, HD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
S.B. No. 1236, SD 1, HD 1	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 1499, SD 2, HD 1	Representative Karamatsu replaced Representative Chong as Co-Chair.
S.B. No. 1756, SD 1, HD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
S.B. No. 1920, SD 2, HD 2	Representative Karamatsu replaced Representative Chong as conferee.
S.B. No. 1923, SD 2, HD 2	Representative Karamatsu replaced Representative Chong as Co-Chair.
S.B. No. 1928, SD 2, HD 3	Representative Karamatsu replaced Representative Chong as Co-Chair.

House Communication dated April 3, 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 made the following changes to the conferees on the following measures:

H.B. No. 17, HD 1, SD 1	Representative Thielen replaced Representative Awana as conferee.
H.B. No. 150, HD 2, SD 2	Representative Ward replaced Representative Awana as conferee.
H.B. No. 325, HD 2, SD 2	Representative Ward replaced Representative Awana as conferee.
H.B. No. 469, HD 1, SD 2	Representative Marumoto replaced Representative Awana as conferee.
H.B. No. 1001, HD 2, SD 2	Representative Ward replaced Representative Awana as conferee.
H.B. No. 1120, HD 2, SD 1	Representative Ward replaced Representative Awana as conferee.
H.B. No. 1201, HD 1, SD 1	Representative Ward replaced Representative Awana as conferee.
H.B. No. 1260, HD 1, SD 1	Representative Pine replaced Representative Awana as conferee.
H.B. No. 1277, HD 2, SD 3	Representative Pine replaced Representative Awana as conferee.
H.B. No. 1353, HD 1, SD 1	Representative Meyer replaced Representative Awana as conferee.
H.B. No. 1356, HD 2, SD 2	Representative Ward replaced Representative Awana as conferee.
H.B. No. 1950, HD 1, SD 2	Representative Pine replaced Representative Awana as conferee.
S.B. No. 973, SD 2, HD 2	Representative Ward replaced Representative Awana as conferee.
S.B. No. 1352, SD 2, HD 2	Representative Ward replaced Representative Awana as conferee.
S.B. No. 1923, SD 2, HD 2	Representative Pine replaced Representative Awana as conferee.

FORTY-FIFTH DAY

Friday, April 4, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:20 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mr. Kainoa Horcajo of Representative Mele Carroll's office, after which the Roll was called showing all members present with the exception of Representatives Bertram, Green, Morita, Nakasone and Thielen, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fourth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 289) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 289, informing the House that on April 3, 2008, the following bill was signed into law:

S.B. No. 3027, SD 2, entitled: "A BILL FOR AN ACT RELATING TO OSTEOPATHY." (ACT 005)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 434 through 441) were received and announced by the Clerk:

Sen. Com. No. 434, transmitting S.C.R. No. 134, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO "BUY LOCAL" AND TO IMPLEMENT AND DEVELOP FOOD WARE AND FOOD WASTE RECYCLING PROGRAMS TO ENCOURAGE SUSTAINABILITY," which was adopted by the Senate on April 3, 2008.

Sen. Com. No. 435, transmitting H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 436, transmitting H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 437, transmitting H.B. No. 3343, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 438, transmitting H.B. No. 2301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 439, transmitting H.B. No. 3085, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," which passed Third Reading in the Senate on April 3, 2008.

Sen. Com. No. 440, transmitting H.B. No. 3174, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," which passed Third Reading in the Senate on April 3, 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 Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

H.B. No. 2301, H.D. 1, S.D. 1
H.B. No. 3085, H.D. 2, S.D. 1
H.B. No. 3174, H.D. 1, S.D. 1

Sen. Com. No. 441, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 1035, SD 1, HD 1
S.B. No. 2441, HD 1
S.B. No. 2434, HD 1
S.B. No. 2464, HD 1
S.B. No. 2584, SD 2, HD 1
S.B. No. 3166, HD 1
S.B. No. 2499, HD 1

INTRODUCTION

The following introduction was made to the members of the House:

Representative Cabanilla recognized the 2008 Hawaii State Division II Varsity Girls Basketball Champions from James Campbell High School, and introduced members of the team:

Ms. Ama Lui, Ms. Karen Tano, Ms. Saphyre Eltagonde, Ms. Jazmin Brown, Ms. Amber Sanchez, Ms. Layna Christian, Ms. Ariel Medlin, Ms. Vai Confer, Ms. Aloha Dias-Kekahuna, Ms. Amber Kaulia, Ms. Shawny Vera Cruz, Ms. Randi Wright, Ms. Kaitlynn Simmonds, and Ms. Oli Kila.

Head Coach, Mr. Nathan Macadangdang and his wife, Patricia;
Assistant Coaches, Mr. Ray Resurrection and Mr. Jody Bantolina;
Athletic Director, Mr. Sam Delos Reyes;
Trainers, Ms. Alison Kuromoto and Mr. Dayton Uyeda;
Scorekeeper, Ms. Gabby Serrano; and
Manager, Ms. Joy Ignacio.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolution was referred to committee by the Speaker:

S.C.R. No.	Referred to:
101	Committee on Public Safety & Military Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENT

The following concurrent resolution was re-referred to committee by the Speaker:

H.C.R. No.	Re-referred to:
56	Committee on Water, Land, Ocean Resources & Hawaiian Affairs

At this time, the Chair announced:

"Members, please note the that S.B. No. 2454, SD 1, HD 1 has been re-referred solely to the Committee on Consumer Protection & Commerce per Committee Referral Sheet No.73 that was placed on your desk yesterday. The Committee on Judiciary waived its referral to this measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended to reconsider action previously taken on S.B. No. 2454, SD 1, HD 1. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken pursuant to the recommendation contained in Standing Committee Report No. 1192-08, recommending referral to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.)

UNFINISHED BUSINESS

S.B. 2454, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2454, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Third Reading by a vote of 46 ayes, with Representatives Bertram, Green, Morita, Nakasone and Thielen being excused.

At 12:31 o'clock p.m., the Chair noted that S.B. No. 2454, SD 1, HD 1, passed Third Reading.

At this time, the Chair announced:

"Members, again, please note the that HR No. 118 and HCR No. 137 have been re-referred solely to the Committee on Public Safety and Military Affairs per Committee Referral Sheet No.74 that was placed on your desk today. The Committee on Finance waived its referral to this measure, and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 118 and H.C.R. No. 137, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.).

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. Nos. 1403-08 and 1404-08 in referring H.R. No. 118 and H.C.R. No. 137 to the Committee on Finance, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Green, Morita, Nakasone and Thielen were excused.).

ADOPTIONS

Representative Caldwell then moved that H.R. No. 118 and H.C.R. No. 137 be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker, I rise in support of this measure as a Vietnam veteran. And I can't speak for all, but I know that the veterans have tried for more than ten years and have done a reasonably good job at maintaining the shine and the cleanliness of that Memorial. But I do think it's time now that DAGS take over. It'll be another couple of hours a week at most. It's pretty much self-maintaining. It's a beautiful addition to our Capitol and I think it's a beautiful way of extending it into the future. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and H.R. No. 118, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," and

H.C.R. No. 137, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES AND THE DEPARTMENT OF PUBLIC SAFETY TO MAINTAIN AND CLEAN THE KOREAN AND VIETNAM MEMORIAL ON THE GROUNDS OF THE HAWAII STATE CAPITOL," were adopted, with Representatives Bertram, Green, Morita, Nakasone and Thielen being excused.

UNFINISHED BUSINESS

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1601-08) recommending that S.B. No. 2054, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2054, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1602-08) recommending that S.B. No. 2730, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2730, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1603-08) recommending that S.B. No. 2886, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2886, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHILD ABANDONMENT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1604-08) recommending that S.B. No. 2867, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2867, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1605-08) recommending that S.B. No. 2825, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2825, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"I'm standing in opposition to Stand. Com. Rep. No. 1605, Senate Bill 2825, Relating to Procurement. I will be voting no on this. This bill, in my estimation, is unnecessary as there are already provisions in the Procurement Code that calls for violators of the Code to be subject to administrative fines or removal from office. The punishment that this bill would impose just because the process takes longer than the bill's author would like, is unnecessary and would discourage the kind of dialogue that can improve the application of the Code.

"The bill in its current form, also inserts a provision requiring the Comptroller to become an ex-officio, non-voting member of the State Procurement Policy Board. I don't believe there's a basis in the bill's language or the Committee Report for taking away the Comptroller's vote. The State Procurement Code applies to State and county agencies. The State Procurement Policy Board adopts rules to implement the State Procurement Code. The Board has seven members, all with voting rights. Two members are government employees: one representing the counties; and one, the Comptroller, representing the State. The other five members are not State or county employees. If the Comptroller's vote is taken away, there will be only one vote representing the government agencies to whom the State Procurement Code applies. These are just some of the reasons I can't support the bill. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, just to counter that last argument. If the Member would read the Standing Committee Report for the HD 1, 'as such, your Committee has amended this measure by deleting the section making the Comptroller an ex-officio, non-voting member.' So that is no longer in the bill and so that argument is now moot.

"The second point is that this about corrective action. By definition, correction means that something was wrong. And if something is wrong, I don't see why we should have to wait longer than 30 days in order for any Chief Procurement Officer to make the correction. And 30 days seems to be a reasonable amount of time. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm also in opposition to this measure. I was aware, yes, that the Comptroller's vote was restored. But nevertheless, the rest of the bill is very trying for the Department of Accounting and General Services and for the Procurement Office because they said 30 days is sometimes not enough time to resolve an issue amicably. And given enough time, they don't need to resort to instant penalties and fines. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 39 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Ward voting no, and with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:37 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2054, SD 2, HD 2
S.B. No. 2730, SD 2, HD 2
S.B No. 2886, SD 1, HD 2
S.B. No. 2867, SD 2, HD 2
S.B. No. 2825, SD 1, HD 2

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1631-08) recommending that S.B. No. 1526, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1631-08 on S.B. No. 1526, SD 2, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1526, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1632-08) recommending that S.B. No. 2146, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1632-08 on S.B. No. 2146, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2146, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1633-08) recommending that S.B. No. 2314, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1633-08 on S.B. No. 2314, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2314, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1634-08) recommending that S.B. No. 2668, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1634-08 on S.B. No. 2668, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2668, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635-08) recommending that S.B. No. 2831, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1635-08 on S.B. No. 2831, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2831, SD 1, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1636-08) recommending that S.B. No. 2961, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1636-08 on S.B. No. 2961, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2961, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1637-08) recommending that S.B. No. 3006, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1637-08 on S.B. No. 3006, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3006, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1638-08) recommending that S.B. No. 3019, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1638-08 on S.B. No. 3019, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3019, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1639-08) recommending that S.B. No. 3257, SD 3, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1639-08 on S.B. No. 3257, SD 3, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3257, SD 3, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1640-08) recommending that S.B. No. 1491, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1640-08 on S.B. No. 1491, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1491, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1641-08) recommending that S.B. No. 2034, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1641-08 on S.B. No. 2034, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2034, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1642-08) recommending that S.B. No. 2816, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1642-08 on S.B. No. 2816, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2816, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1643-08) recommending that S.B. No. 2394, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1643-08 on S.B. No. 2394, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2394, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1644-08) recommending that S.B. No. 2528, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1644-08 on S.B. No. 2528, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2528, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1645-08) recommending that S.B. No. 2843, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1645-08 on S.B. No. 2843, SD 2, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2843, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1646-08) recommending that S.B. No. 3030, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1646-08 on S.B. No. 3030, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3030, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1647-08) recommending that S.B. No. 3174, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1647-08 on S.B. No. 3174, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3174, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1648-08) recommending that S.B. No. 3190, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1648-08 on S.B. No. 3190, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3190, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1649-08) recommending that S.B. No. 2842, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1649-08 on S.B. No. 2842, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2842, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1650-08) recommending that S.B. No. 2986, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1650-08 on S.B. No. 2986, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2986, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1651-08) recommending that S.B. No. 2313, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1651-08 on S.B. No. 2313, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2313, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1652-08) recommending that S.B. No. 2652, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1652-08 on S.B. No. 2652, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2652, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1653-08) recommending that S.B. No. 2663, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1653-08 on S.B. No. 2663, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2663, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1654-08) recommending that S.B. No. 2041, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1654-08 on S.B. No. 2041, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2041, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1655-08) recommending that S.B. No. 3074, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1655-08 on S.B. No. 3074, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3074, SD 1, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1656-08) recommending that S.B. No. 3076, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1656-08 on S.B. No. 3076, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3076, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1657-08) recommending that S.B. No. 3255, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1657-08 on S.B. No. 3255, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3255, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1658-08) recommending that S.B. No. 3009, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1658-08 on S.B. No. 3009, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3009, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1659-08) recommending that S.B. No. 2850, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1659-08 on S.B. No. 2850, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2850, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1660-08) recommending that S.B. No. 644, SD 3, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1660-08 on S.B. No. 644, SD 3, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 644, SD 3, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1661-08) recommending that S.B. No. 3185, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1661-08 on S.B. No. 3185, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3185, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1662-08) recommending that S.B. No. 2779, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1662-08 on S.B. No. 2779, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2779, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1663-08) recommending that S.B. No. 2876, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1663-08 on S.B. No. 2876, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2876, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1664-08) recommending that S.B. No. 2273, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1664-08 on S.B. No. 2273, SD 2, HD 3 was deferred and in

accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2273, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1665-08) recommending that S.B. No. 2433, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1665-08 on S.B. No. 2433, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2433, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1666-08) recommending that S.B. No. 2293, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1666-08 on S.B. No. 2293, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2293, SD 1, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1667-08) recommending that S.B. No. 2982, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1667-08 on S.B. No. 2982, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2982, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1668-08) recommending that S.B. No. 2896, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1668-08 on S.B. No. 2896, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2896, SD 2, HD 2, were made available to the members of the House.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1669-08) recommending that S.B. No. 3015, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1669-08 on S.B. No. 3015, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3015, SD 2, HD 2, were made available to the members of the House.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1670-08) recommending that S.B. No. 2449, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1670-08 on S.B. No. 2449, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2449, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1671-08) recommending that S.B. No. 2782, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1671-08 on S.B. No. 2782, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2782, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1672-08) recommending that S.B. No. 3092, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1672-08 on S.B. No. 3092, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3092, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1673-08) recommending that S.B. No. 2245, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1673-08 on S.B. No. 2245, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2245, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1674-08) recommending that S.B. No. 3240, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1674-08 on S.B. No. 3240, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3240, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1675-08) recommending that S.B. No. 6, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1675-08 on S.B. No. 6, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 6, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1676-08) recommending that S.B. No. 1487, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1676-08 on S.B. No. 1487, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1487, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1677-08) recommending that S.B. No. 2094, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1677-08 on S.B. No. 2094, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2094, SD 2, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1678-08) recommending that S.B. No. 2170, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1678-08 on S.B. No. 2170, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the

State of Hawaii, printed copies of S.B. No. 2170, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1679-08) recommending that S.B. No. 2212, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1679-08 on S.B. No. 2212, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2212, SD 1, HD 2, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1680-08) recommending that S.B. No. 2263, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1680-08 on S.B. No. 2263, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2263, SD 2, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1681-08) recommending that S.B. No. 2900, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1681-08 on S.B. No. 2900, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2900, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1682-08) recommending that S.B. No. 3050, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1682-08 on S.B. No. 3050, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3050, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1683-08) recommending that S.B. No. 3008, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1683-08 on S.B. No. 3008, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3008, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1684-08) recommending that S.B. No. 3252, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1684-08 on S.B. No. 3252, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3252, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1685-08) recommending that S.B. No. 2768, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1685-08 on S.B. No. 2768, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2768, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1686-08) recommending that S.B. No. 2857, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1686-08 on S.B. No. 2857, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2857, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1687-08) recommending that S.B. No. 2196, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1687-08 on S.B. No. 2196, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2196, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1688-08) recommending that S.B. No. 2644, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1688-08 on S.B. No. 2644, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2644, SD 1, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1689-08) recommending that S.B. No. 3206, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1689-08 on S.B. No. 3206, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3206, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1690-08) recommending that S.B. No. 988, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1690-08 on S.B. No. 988, SD 2, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 988, SD 2, HD 3, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1691-08) recommending that S.B. No. 3215, SD 3, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1691-08 on S.B. No. 3215, SD 3, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 3215, SD 3, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1692-08) recommending that S.B. No. 2933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1692-08 on S.B. No. 2933, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2933, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1693-08) recommending that S.B. No. 2262, SD 1, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1693-08 on S.B. No. 2262, SD 1, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2262, SD 1, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1694-08) recommending that S.B. No. 2150, SD 2, HD 1, as amended in HD 2, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1694-08 on S.B. No. 2150, SD 2, HD 2 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2150, SD 2, HD 2, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1695-08) recommending that S.B. No. 2083, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1695-08 on S.B. No. 2083, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2083, SD 2, HD 1, were made available to the members of the House.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1696-08) recommending that S.B. No. 2720, SD 2, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1696-08 on S.B. No. 2720, SD 2, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2720, SD 2, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1697-08) recommending that S.B. No. 1891, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1697-08 on S.B. No. 1891, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 1891, SD 1, HD 1, were made available to the members of the House.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1698-08) recommending that S.B. No. 2341, SD 1, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1698-08 on S.B. No. 2341, SD 1, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 2341, SD 1, HD 1, were made available to the members of the House.

Representatives Morita and Waters, for the Committee on Energy & Environmental Protection and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1699-08) recommending that S.B. No. 2808, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 2808, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1700-08) recommending that S.B. No. 1961, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1961, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report 1700, will you note my reservations and my comments will be reserved for Third Reading. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations on Stand. Com. Rep. 1700. I think it exonerates bail bond agents and sureties from bond liabilities and enforcement procedures. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1961, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1701-08) recommending that S.B. No. 2400, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2400, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2400, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1702-08) recommending that S.B. No. 945, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 945, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Mizuno rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like a ruling on a possible conflict on Stand. Com. Rep. No. 1702. My spouse is employed in my office," and the Chair ruled, "no conflict."

Representative Mizuno continued in support of the measure, stating:

"And in that case, I support this. Thank you."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"On Stand. Com. 1702-08, Mr. Speaker, I would like to declare a possible conflict. My son works as a member of my Session staff for me. Thank you," and the Chair ruled, "no conflict."

Representative Ching rose to disclose a potential conflict of interest, stating:

"I'm sorry, Mr. Speaker. I did also want to register a possible conflict. My sister did work in my office. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1703-08) recommending that S.B. No. 2840, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2840, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1704-08) recommending that S.B. No. 3068, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3068, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need to request a ruling on a potential conflict on Stand. Com. Report No. 1704, SB 3068. My wife is on the Board of Directors of Mental Health Kokua which is one of the major service providers for the Mental Health Division. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3068, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1705-08) recommending that S.B. No. 2833, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2833, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1706-08) recommending that S.B. No. 2365, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2365, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2365, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1707-08) recommending that S.B. No. 2879, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2879, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2879, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1708-08) recommending that S.B.

No. 2342, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2342, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1709-08) recommending that S.B. No. 2915, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2915, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2915, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1710-08) recommending that S.B. No. 1311, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1311, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1711-08) recommending that S.B. No. 409, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 409, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 409, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Second Reading, and was placed on the calendar for Third Reading with Representative Belatti voting no, and with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Ito and Shimabukuro, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1712-08) recommending that S.B. No. 2294, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2294, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Rep. 1712, Relating to Kaka'ako, I'd like to register some strong reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1713-08) recommending that S.B. No. 3048, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3048, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3048, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Ito and Tsuji, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1714-08) recommending that S.B. No. 546, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 546, SD 2, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Just a ruling on a potential conflict on Stand. Com. No. 1714-08. Mr. Speaker I live on an agricultural lot. Thank you," and the Chair ruled, "no conflict."

Representative Evans rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Report No. 1714, just a few comments with reservations. I'll make my comments now instead of on Third Reading. I just have some concerns because we just looked at a bill that was relating to Kaka'ako where we want to do some reserved housing for affordable housing. And yet when we look at 1714, it's saying we're going to allow someone to meet affordable housing requirement in an urban area and they can actually now go into the rural district to meet their urban district affordable housing requirement.

"So I have some concerns that we're not promoting affordable housing in the urban, high density areas by doing this. It's affordable housing that people have issues with, as well as cars and public transportation. So this kind of counters what we're trying to accomplish in Stand. Com. No. 1712. So I just have some reservations. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1715-08) recommending that S.B. No. 1934, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1934, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1934, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1716-08) recommending that S.B. No. 2838, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2838, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1717-08) recommending that S.B. No. 2153, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2153, SD 1, HD 1, pass Second Reading and be placed on the calendar for Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations on this bill. The purpose of the tax credit or refund as mandated by the Hawaii Constitution is to put money back into the pockets of the people of Hawaii. You have to ask yourselves why the Constitution was set up to provide a tax credit or refund if the balance of the general fund exceeds five percent of general fund revenues for two consecutive years. In laymen's terms it means that for two years the State's tax structure has generated more than what was needed to run the government. In light of a slowing economy, don't you think we should give back to the taxpayers of Hawaii? What better way to stimulate the economy than to put money back into their pockets?

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2153, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Second Reading, and was placed on the calendar for Third Reading with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1718-08) recommending that S.B. No. 2826, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2826, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1719-08) recommending that S.B. No. 2004, SD 2, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2004, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1720-08) recommending that S.B. No. 2546, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," passed

Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1721-08) recommending that S.B. No. 3137, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3137, SD 2, HD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF LAND AND NATURAL RESOURCES FOR AKULE FISH MONITORING," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1722-08) recommending that S.B. No. 3069, SD 2, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3069, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," passed Third Reading by a vote of 44 ayes to 1 no, with Representative Meyer voting no, and Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1723-08) recommending that S.B. No. 2407, SD 1, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2407, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE APPRAISALS," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:47 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2826, SD 2, HD 1
S.B. No. 2004, SD 2, HD 2
S.B. No. 2546, SD 2, HD 1
S.B. No. 3137, SD 2, HD 1
S.B. No. 3069, SD 2, HD 1
S.B. No. 2407, SD 1, HD 1

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1724-08) recommending that H.R. No. 75, 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. 75, HD 1, entitled: "HOUSE RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1725-08) recommending that H.C.R. No. 93, 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. 93, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE BLACK RIBBON AND BLACK ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1726-08) recommending that H.C.R. No. 72, 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. 72, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO DESIGNATE A STATE AGENCY TO DEVELOP A STATEWIDE LAND USE STRATEGY TO MITIGATE POTENTIAL HAZARDS CAUSED BY CATASTROPHIC DISASTERS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1727-08) recommending that H.R. No. 103, 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. 103, entitled: "HOUSE RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1728-08) recommending that H.C.R. No. 121, 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. 121, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING REAL ESTATE DEVELOPERS, DESIGNERS, AND ARCHITECTS IN HAWAII TO INCORPORATE UNIVERSAL DESIGN PRINCIPLES INTO THE DESIGN OF THEIR REAL ESTATE PROJECTS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Herkes and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1729-08) recommending that H.R. No. 215, 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. 215, entitled: "HOUSE RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representatives Herkes and Sonson, for the Committee on Consumer Protection & Commerce and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1730-08) recommending that H.C.R. No. 254, 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. 254, entitled: "HOUSE

CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO PROFESSIONAL EMPLOYER ORGANIZATIONS," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1731-08) recommending that H.R. No. 269, 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. 269, HD 1, entitled: "HOUSE RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1732-08) recommending that H.C.R. No. 325, 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. 325, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING HAWAII'S NATURAL DISASTER PREPAREDNESS TRAINING CENTER TO WORK WITH THE JOINT LEGISLATIVE COMMITTEE ON FAMILY CARE GIVING, KUPUNA CAUCUS, AND OTHER INTERESTED ORGANIZATIONS AND PERSONS TO DEVELOP PROGRAMS EMPHASIZING AT-RISK COMMUNITIES," was adopted, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1733-08), recommending that S.C.R. No. 8, 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 S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009," was referred to the Committee on Finance with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1734-08), recommending that S.C.R. No. 75, 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 S.C.R. No. 75, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII TO CONDUCT A STUDY ON THE FEASIBILITY OF REMOVING ENROLLMENT CAPS AT CAMPUSES WITHIN THE UNIVERSITY OF HAWAII SYSTEM," was referred to the Committee on Finance with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

THIRD READING

S.B. No. 45, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 45, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS," passed Third Reading by a vote of 45 ayes, with Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen being excused.

At 12:48 o'clock p.m., the Chair noted that S.B. No. 45, SD 1, passed Third Reading.

RECESS

At this time, Representative B. Oshiro moved to keep the Journal open until 10:00 p.m. this legislative day for the purpose of receiving Standing Committee Reports and Senate bills transmitted thereby, seconded by Representative Meyer and carried. (Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

At 12:49 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 9:00 o'clock a.m., Tuesday, April 8, 2008. (Representatives Bertram, Green, Morita, Nakasone, Souki and Thielen were excused.)

STANDING COMMITTEE REPORTS

In accordance with the motion made, the following Standing Committee Reports (Stand. Com. Nos. 1735-08 through 1778-08) were received by the Clerk prior to 10:00 p.m. this legislative day, and the following action taken:

Stand. Com. Rep. No. 1735-08 (LMG) and S.B. No. 2129, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1736-08 (FIN) and S.B. No. 2480, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1737-08 (FIN) and S.B. No. 2202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1738-08 (FIN) and S.B. No. 651, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1739-08 (FIN) and S.B. No. 1720, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1740-08 (FIN) and S.B. No. 2151, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1741-08 (FIN) and S.B. No. 2157, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1742-08 (FIN) and S.B. No. 2396, SD 1, HD 2, as amended in HD 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1743-08 (FIN) and S.B. No. 2542, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1744-08 (FIN) and S.B. No. 2830, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1745-08 (FIN) and S.B. No. 2864, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1746-08 (FIN) and S.B. No. 3080, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1747-08 (FIN) and S.B. No. 3228, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1748-08 (FIN) and S.B. No. 2785, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1749-08 (FIN) and S.B. No. 2829, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1750-08 (FIN) and S.B. No. 2803, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1751-08 (FIN) and S.B. No. 3165, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1752-08 (FIN) and S.B. No. 2218, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1753-08 (FIN) and S.B. No. 2828, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1754-08 (FIN) and S.B. No. 2569, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1755-08 (FIN) and S.B. No. 3138, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1756-08 (FIN) and S.B. No. 2198, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1757-08 (FIN) and S.B. No. 2421, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1758-08 (FIN) and S.B. No. 2956, SD 1, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1759-08 (FIN) and S.B. No. 2646, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1760-08 (FIN) and S.B. No. 3001, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1761-08 (FIN) and S.B. No. 2660, SD 3, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1762-08 (FIN) and S.B. No. 2055, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1763-08 (FIN) and S.B. No. 3023, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1764-08 (FIN) and S.B. No. 3171, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1765-08 (FIN) and S.B. No. 711, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1766-08 (JUD) and S.B. No. 1337, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1767-08 (JUD) and S.B. No. 2040, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1768-08 (JUD) and S.B. No. 3103, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1769-08 (AGR) and S.B. No. 958, SD 1, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1770-08 (FIN) and S.B. No. 2878, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1771-08 (FIN) and S.B. No. 3004, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT

RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1772-08 (FIN) and S.B. No. 3005, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1773-08 (FIN) and S.B. No. 1780, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1774-08 (FIN) and S.B. No. 2334, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1775-08 (FIN) and S.B. No. 2423, SD 2, HD 1, as amended in HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1776-08 (FIN) and S.B. No. 3102, SD 2, as amended in HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1777-08 (FIN) and S.B. No. 3202, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE," were placed on the calendar for Third Reading on April 8, 2008.

Stand. Com. Rep. No. 1778-08 (FIN) and S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," were placed on the calendar for Third Reading on April 8, 2008.

ADJOURNMENT

At 10:00 o'clock p.m., the House of Representatives adjourned until 9:00 o'clock a.m., Tuesday, April 8, 2008.

HOUSE COMMUNICATION

House Communication dated April 4, 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. 2301, H.D. 1, S.D. 1
H.B. No. 3085, H.D. 2, S.D. 1
H.B. No. 3174, H.D. 1, S.D. 1

FORTY-SIXTH DAY

Tuesday, April 8, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 9:10 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Jerry L. Chang, after which the Roll was called showing all members present with the exception of Representatives Awana, Nakasone, Sagum, Shimabukuro and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 290 and 291) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 290, informing the House that on April 4, 2008, the following bill was signed into law:

H.B. No. 2138, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVER RECOGNITION DAY." (ACT 006)

Gov. Msg. No. 291, informing the House that on April 4, 2008, the following bill was signed into law:

H.B. No. 3080, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY OF PUBLIC UTILITIES." (ACT 007)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 442 through 467) were received and announced by the Clerk:

Sen. Com. No. 442, transmitting S.C.R. No. 85, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING ASSOCIATIONS OF APARTMENT OWNERS AND CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN THE STATE TO DEVELOP EMERGENCY AND EVACUATION PLANS FOR RESIDENTS, INCLUDING PROVISIONS FOR SENIORS AND RESIDENTS WITH SPECIAL HEALTH NEEDS," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 443, transmitting S.C.R. No. 105, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH PROTOCOLS AND TRAINING PROGRAMS FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 444, transmitting S.C.R. No. 119, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO LEASE APPROXIMATELY 13.2 ACRES OF STATE-OWNED PUBLIC LAND NEAR KE‘EHI LAGOON," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 445, transmitting S.C.R. No. 125, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RESEARCH AND STUDY EARLY PAROLE ELIGIBILITY PROGRAMS THAT REDUCE THE MINIMUM PERIOD OF TIME THAT HAWAII INMATES MUST WAIT TO BECOME ELIGIBLE FOR PAROLE," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 446, transmitting S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE "DIVIDED WE FAIL" CAMPAIGN," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 447, transmitting S.C.R. No. 204, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE NATIONAL DISASTER PREPAREDNESS TRAINING CENTER TO DEVELOP A PROGRAM FOR PRIVATE, GOVERNMENTAL, AND NON-PROFIT ENTITIES WITH AN EMPHASIS ON AT-RISK COMMUNITIES," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 448, transmitting S.C.R. No. 222, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE DEPARTMENTS TO CONVERT EXEMPT EMPLOYEES TO CIVIL SERVICE IN ACCORDANCE WITH ACT 253, SESSION LAWS OF HAWAII 2000, AND ACT 300, SESSION LAWS OF HAWAII 2006," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 449, transmitting S.C.R. No. 225, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ACKNOWLEDGING THE WORK OF THE STATE FOUNDATION ON CULTURE AND THE ARTS IN SUPPORTING ARTS AND CULTURE IN HAWAII, AND REQUESTING THAT AS AGENCIES MOVE FROM THE NO. 1 CAPITOL DISTRICT BUILDING, THE VACATED SPACE SHALL BE ASSIGNED TO THE STATE FOUNDATION ON CULTURE AND THE ARTS AND THE STATE ART MUSEUM," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 450, transmitting H.C.R No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATIVE INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," which was adopted by the Senate on April 4, 2008.

Sen. Com. No. 451, transmitting H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 452, transmitting H.B. No. 2696, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 453, transmitting H.B. No. 2062, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 454, transmitting H.B. No. 2163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 455, transmitting H.B. No. 2254, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 456, transmitting H.B. No. 2306, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GENERAL EXCISE TAXATION," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 457, transmitting H.B. No. 2326, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 458, transmitting H.B. No. 2366, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 459, transmitting H.B. No. 2517, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 460, transmitting H.B. No. 2559, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 461, transmitting H.B. No. 2675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 462, transmitting H.B. No. 2697, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 463, transmitting H.B. No. 2730, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 464, transmitting H.B. No. 2761, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 465, transmitting H.B. No. 2763, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 466, transmitting H.B. No. 2920, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," which passed Third Reading in the Senate on April 4, 2008.

Sen. Com. No. 467, transmitting H.B. No. 3175, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," which passed Third Reading in the Senate on April 4, 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 Nakasone, Sagum, Shimabukuro and Waters were excused.)

H.B. No. 2062, H.D. 1, S.D. 2
H.B. No. 2163, H.D. 2, S.D. 1
H.B. No. 2254, H.D. 2, S.D. 1
H.B. No. 2306, H.D. 2, S.D. 2
H.B. No. 2326, H.D. 2, S.D. 1
H.B. No. 2366, S.D. 1
H.B. No. 2517, H.D. 1, S.D. 1
H.B. No. 2559, H.D. 2, S.D. 1
H.B. No. 2675, H.D. 2, S.D. 1
H.B. No. 2697, H.D. 1, S.D. 1
H.B. No. 2730, H.D. 1, S.D. 1
H.B. No. 2761, H.D. 1, S.D. 1
H.B. No. 2763, H.D. 1, S.D. 1
H.B. No. 2920, S.D. 1
H.B. No. 3175, H.D. 1, S.D. 1

INTRODUCTION

The following introduction was made to the members of the House:

Representative Caldwell introduced 5th grade students from Punahou School; their teachers, Ms. Carrieann Quinn and Ms. Angela Church; and chaperones, Mrs. Julina Abcede and Ms. Diane Taira.

ORDER OF THE DAY

COMMITTEE ASSIGNMENT

The following concurrent resolution was referred to committee by the Speaker:

S.C.R. No.	Referred to:
134, SD2	Jointly to the Committee on Education and the Committee on Health, then to the Committee on Finance

ANNOUNCEMENT

Representative Souki, for the Committee on Transportation, requested a waiver of the 48-hour notice requirement to hear HCR 105, HD 1, on Wednesday at 9:00 a.m. in Conference Room 309, and the Chair "so ordered."

Representative Souki: "This has to do with allowing the State of Hawaii to regulate the airline industry, and requesting the Congress to provide the enabling legislation. Thank you, very much."

At this time, the Chair announced:

"Members of the House, before we move to the Consent Calendar, are there any Members of the House who would like to disclose their potential conflicts of interest at this point in time?"

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. On all bills pertaining to important agricultural lands or agricultural land jurisdiction, I live on an agricultural lot. Thank you," and the Chair ruled, "no conflict."

Representative Green rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. On all bills relating to health, specifically the Hawaii Health Systems Corporation, I'm a contracted emergency room doctor for them. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Sonson rose to disclose a potential conflict of interest, stating:

"Thank you very much, Mr. Speaker. On S.B. 3009, Relating to Money Transmitters, I have a potential conflict. My godson is a money transmitter, and my best friend is also a money transmitter. Thank you very much," and the Chair ruled, "no conflict."

Representative Mizuno rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. My wife works part-time at HHSC."

The Chair then stated:

"I believe that measure will be on the Regular Calendar so at that point, you may disclose your potential conflict."

Representative Mizuno: "Thank you for the clarification. Thank you."

Representative Luke rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. Mr. Speaker on S.B. 2961, the Claims Against the State, the firm that I work for has a claim in this bill. Thank you," and the Chair ruled, "no conflict."

Representative Meyer rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. On Senate Bill 3174, which is relating to affordable housing and funding for self-help housing, I may have a conflict of interest. I'm the President of the Self-Help Housing Corporation of Hawaii. Thank you," and the Chair ruled, "no conflict."

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I am requesting a potential conflict ruling on S.B. 3068, which is making an emergency appropriation for the Department of Health for the Adult Mental Health Division. My wife is on the Board of Directors of Mental Health Kokua, which is one of the major services providers. Thank you," and the Chair ruled, "no conflict."

Representative Pine rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on any of the bills relating to veterans or homelessness, I may have a conflict. I work at a homeless veteran shelter. Thanks," and the Chair ruled, "no conflict."

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you. I request a ruling on two potential conflicts. I own an insurance brokerage firm, and I'm also a member of the Hawaii Army National Guard. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just wanted to disclose that I'm a registered nurse and a member of the Army Reserves. Thank you," and the Chair ruled, "no conflict."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Regarding S.B. 945, my sister did work for me in my office," and the Chair ruled, "no conflict."

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading on the basis of a modified consent calendar. (Representatives Nakasone, Sagum and Waters were excused.)

CONSENT CALENDAR

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members at this point there will be no discussion as these are items agreed to by this body for placement on the Consent Calendar."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1634-08) recommending that S.B. No. 2668, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2668, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of S.B. 2668, S.D. 2, H.D. 1 which amends the law relating to the Candidate Advisory Council for the Board of Regents of the University of Hawaii

"I am pleased that this legislation retains language relating to the confidentiality of information required by the Regents Candidate Advisory Council. The Candidate Advisory Council testified that some candidates expressed concern about the potential public disclosure of personal information that the Regents Candidate Advisory Council may become aware of during the candidate review process. Because of this, confidentiality language is needed to insure that highly qualified and interested individuals will be willing to be considered as potential regents. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2668, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1635-08) recommending that S.B. No. 2831, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2831, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"During 2007, various studies and surveys related to Hawaii's aging population and the wants and needs of family caregivers were presented to the Joint Legislative Committee for Family Caregiving (JLCFC). The studies emphasized the importance of conducting additional research, education, and training in forming a family caregiving and "aging in place" support system to address the issues of elderly care in this state, and to avoid more costly and sometimes unavailable alternatives such as institutionalized care.

"A center on aging research and education will recognize the important role of aging in the future of our State and officially establishing a research center focusing on aging at the university level elevating the importance of this issue.

"The JLCFC, in its report to the Legislature, recommended an appropriation for the University of Hawaii Center on Aging Education and Research (UHCARE) because of its expressed commitment to serve as an inclusive, information sharing, interdisciplinary center on aging. The appropriation would allow for additional faculty positions to assist UH CARE in carrying out its

mission of establishing a research, education, and training center on eldercare issues for the benefit of the entire State.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2831, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII CENTER ON AGING EDUCATION AND RESEARCH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1636-08) recommending that S.B. No. 2961, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2961, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1637-08) recommending that S.B. No. 3006, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3006, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1638-08) recommending that S.B. No. 3019, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3019, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of S.B. 3019, S.D. 1, H.D. 2 which amends current provisions of the insurance investment statutes. This bill would provide insurers with more flexibility in their investments and would replace current existing law with more current regulatory standards.

"The current insurance law relating to the investments insurers may hold has been in place since the late-1980s and does not reflect the investment opportunities that insurance companies currently have. While it is important to remember that investment restrictions are in place to ensure the viability of insurers, it is also important to recognize that an industry must adapt to the current economic and financial developments so that insureds can be efficiently and effectively served. This bill, by allowing insurance companies to take on investments more aligned with their mainland counterparts, will assist insurance companies in developing in a competitive marketplace.

"However, I do think that the comments of the Attorney General should be heeded. We should reconsider reinserting the language "and one hundred per cent of its ceded reinsurance premium payable" to protect Hawaii policyholders. Oftentimes, insurers buy re-insurance for themselves to protect themselves in cases where there is a catastrophic event and the insurers cannot pay out the claims on their own. In these cases, when the claims are larger than what the insurer can sustain, the reinsurer, not the local insurer, is the entity that actually pays out the claim. Reinsurance, therefore, is a financial liability to the insurance company, but one that benefits insureds.

"If the insurer is not required to retain 100% of the premium payable to the reinsurance company, then it is possible that the Hawaii insured will not be fully protected in the case of a catastrophic event due to non-payment of the premium by the insurer. According to the Attorney General, reinsurance companies, when not paid their premium in full, may choose to either (1) not honor the reinsurance agreement; or (2) reduce the reinsurance recoverable by an insured by the amount of the premium owed to the reinsurance company. Neither of these scenarios are desirable outcomes.

"It is important that this bill address both the needs of the insurance company, as well as the insured. Insurance companies need the flexibility to invest in a way that will allow them to serve more people in a more cost-effective manner. However, that should not be done at the risk of exposing insureds to a reduced (or even non-existent) compensation when an insurable event actually occurs.

"Nonetheless, because a vibrant insurance industry is necessary for the protection of Hawaii insureds, I support this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3019, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1640-08) recommending that S.B. No. 1491, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1491, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1641-08) recommending that S.B. No. 2034, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2034, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1642-08) recommending that S.B. No. 2816, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2816, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of S.B. 2816, S.D. 1, H.D. 2. This bill requires DLNR to assign priority mooring space to any intra-county ferry service regulated by the PUC that serves the people of Maui County. This legislation will provide for a more reliable service between Maui and Lanai by allowing the intra-island ferry to be given priority to moor at Maalaea Harbor. With the recent closure of Aloha and ATA Airlines, it is important that we make sure our citizens have adequate means to travel between the islands and the mainland. This bill gives our citizens another tool for more efficient travel between the islands of Maui County.

"I do have a concern that if DLNR puts this intra-county ferry at the top of the list without working with those already on the list that it will cause unrest in the Maalaea Harbor.

"Hopefully the introducers of this bill have already discussed this with the community affected. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2816, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INTRA-COUNTY FERRY SERVICE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1644-08) recommending that S.B. No. 2528, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2528, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE PARKS ON KAUAI," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Finnegan voting no, and Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1646-08) recommending that S.B. No. 3030, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3030, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1647-08) recommending that S.B. No. 3174, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3174, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remark are as follows:

"Thank you Mr. Speaker. I am in strong support of SB 3174, relating to affordable housing. This bill makes meaningful strides to alleviate the lack of housing for low- and moderate-income families. This bill would extend the dedication of 50 percent of the conveyance tax revenues for the Rental Housing Trust Fund ("Fund"). It would also provide for an infusion of $25 million in G.O. bond funds for the Fund. The Fund is important because it provides equity gap financing for the development and/or preservation of affordable rental housing.

"Self-help housing has been effective in helping low- to moderate-income families become homeowners. The HHFDC has provided land, financing to acquire land, and development assistance to self-help housing organizations statewide to assist them in this mission. Prior to the dedication of the conveyance tax revenues, the Fund was not consistently funded. It is this consistent funding, however, that is critical. On-going funding is necessary for affordable housing.

"The lack of affordable housing touches everyone in our community – from the young children facing homelessness with their parents to the elderly who must make a choice between shelter and medicine. It is for these people that we, as elected officials, must take the long-term view and ensure that there are moneys both now and in the future to fund projects such as self-help housing to ensure that developers have funds available to build affordable housing units.

"The Self Help Housing Corporation of Hawaii has completed 42 projects for 544 low income families on Oahu, Kauai, Maui, and Molokai. These families not only have a home, but they also have a chance at a better life, a chance at the American dream. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3174, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1648-08) recommending that S.B. No. 3190, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3190, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu's written remarks are as follows:

"I rise in support. The development of clean electricity from a renewable and abundant resource, the sun, at a price lower than the market price and independent from oil price fluctuations will help Hawai'i become more self-sustainable and less reliant on fossil fuels. Sopogy, Inc., specializes in the development, manufacture, and distribution of its proprietary concentrated solar power systems that generate electricity.

"This bill would allow the issuance of $35,000,000 in special purpose revenue bonds to assist Sopogy, Inc. in its planning, designing, construction, equipping, and operating of a solar farm power plant on the Island of Oahu. I am proud to see this Hawai'i company play a role in developing our renewable energy industry. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3190, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1650-08) recommending that S.B. No. 2986, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2986, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO REFUNDABLE RENEWABLE ENERGY TAX CREDIT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1652-08) recommending that S.B. No. 2652, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2652, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1654-08) recommending that S.B. No. 2041, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2041, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay's written remarks are as follows:

"Mr. Speaker, S.B. 2041 H.D. 1 is of vital importance to our State's most vulnerable residents who are recipients of Medicaid coverage. This bill will ensure that the necessary State funds will be appropriated to match federal funding, thereby guaranteeing that the $7,500,000 federal Medicaid disproportionate share hospital (DSH) grant for 2008-2009 will be secured.

"The importance of State funding required to match this grant cannot be minimized. The combined federal and State funds will help meet the rising health care costs and provide the quality health care that is so necessary within our communities.

"Thank you, Mr. Speaker. I respectively request my colleagues to support this important bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2041, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1655-08) recommending that S.B. No. 3074, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3074, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1657-08) recommending that S.B. No. 3255, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3255, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Cabanilla voting no, and Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1660-08) recommending that S.B. No. 644, SD 3, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 644, SD 3, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 644, S.D. 3, H.D. 3. This measure requires the installation of solar energy devices in new residential single family homes. While requiring the use of solar energy for water heating is laudable, this mandate will merely add to the up-front cost of new residential dwellings, making the purchase for first-time homebuyers even more of a challenge.

"Although I am in favor of becoming more energy efficient and reducing Hawaii's reliance on foreign fossil fuels, this bill would take away consumer choice, something that I believe will hurt our economy in the future. Consumer choice is the driving force of our economy. Consumer choice is how the market corrects itself. By mandating that all new homes use solar water heating for their water heaters, we are taking away a choice. Solar energy may be the cleanest and most efficient energy sources we have.

"This mandate will also work a detriment to current home buyers. A mandate would effectively eliminate the $1000 utility rebate and 35% State tax credit for solar water heating systems installed in residential new construction. This would increase the price of a new solar water heating system to a new homeowner by $2,600. Regulatory requirements state that utility customers who are required to install energy efficient devices are precluded from taking advantage of incentive measures provided under demand side management programs.

"Government does not need to intervene in this way. Mandates should not be the role of government, especially when the government intervention goes beyond its basic role of providing for our public health, safety or welfare. Consideration should be given to the staffing and resources required to monitor and enforce this program, including some type of process to adjudicate situations where there is non-compliance.

"I am also against this bill because if there must be a mandate by the government regarding solar energy, it should be a mandate large enough to make an impact. If the use of solar energy is to be required, then government should require photovoltaic panels, not just water-heating solar panels. I would support a mandate using photovoltaic technology that will make a significant impact on our reliance on fossil fuels. This would also enable the much higher cost of a photovoltaic system to be amortized over the life of a mortgage. The savings from electric bills could very well make up for the increase in the purchase price of the home.

"For these reasons, I am opposed to this bill. Thank you, Mr. Speaker."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"This measure would require the installation of solar water heating devices in all new residential single family homes constructed after December 31, 2009. The rising price of oil and gas has made many of us start thinking about how we can reduce our dependence on fossil fuels. The increased costs of electricity will encourage people to go to solar or quick recovery heaters. Hawaii already leads the nation in solar water heating installations.

"I believe that incentives, not government mandates are the way government can encourage certain behavior. When government intervention goes beyond its basic role of providing for our public health, safety and welfare; it has gone too far. Limiting choice in the housing market by adding mandates will increase the costs of building a home, thus increasing the costs and making houses even less affordable than they are now. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 644, SD 3, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Third Reading by a vote of 44 ayes to 4 noes, with Representatives Cabanilla, Finnegan, Marumoto and Meyer voting no, and with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1661-08) recommending that S.B. No. 3185, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3185, SD 2, HD 1, entitled: "A BILL

FOR AN ACT RELATING TO CANCER," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1664-08) recommending that S.B. No. 2273, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2273, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO DIGITAL MEDIA," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1665-08) recommending that S.B. No. 2433, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2433, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO IOLANI PALACE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1669-08) recommending that S.B. No. 3015, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.B. No. 3015, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE PATIENTS' BILL OF RIGHTS AND RESPONSIBILITIES ACT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1670-08) recommending that S.B. No. 2449, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2449, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1671-08) recommending that S.B. No. 2782, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2782, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill 2782 S.D. 2 H.D. 2.

"Mr. Speaker, Senate Bill 2782 SD2 HD2 is created to monitor scrap metal resale and creates a new misdemeanor offense to theft of stainless steel beer kegs or simply beer kegs.

"The theft of beer kegs has become a problem in recent years. Our local wholesaler here in Hawaii has gone from losing 30 beer kegs in 2006 to over 350 beer kegs in 2007. The beer industry loses over 300,000 kegs per year, which equals to $15 million due to theft and resale of beer kegs. Beer kegs or stainless steel beverages containers are one hundred percent recyclable; thus making these containers attractive for individuals for redemption into cash at scrap dealerships. Each beer keg can be redeemed for approximately $150.00 to $180.00. The cost to the companies is approximately $50.00 and most beer kegs last for 20 years.

"To aid in the deterrence of criminal activity we have included the theft of stainless steel beverage containers, otherwise known as beer kegs, in laws intended to prevent theft and resale. The passage of this bill will help deter theft and bring the numbers of stolen beer kegs back down to a manageable or non-existent number.

"As a side note, I hope that we tighten up the language in conference committee. Currently there is no difference between a steel coffee cup and a steel beer keg. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2782, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO METAL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1672-08) recommending that S.B. No. 3092, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3092, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto's written remarks are as follows:

"I favor this bill that would require the use of only the last four digits of social security numbers for the Bureau of Conveyances, Land Court or on judgments and orders. In these days when identity theft is rampant and damaging, it makes a great deal of sense to prevent the pilfering of SSNs. The use of four numbers coupled with names, addresses and other information, accuracy seems assured.

"However, there was testimony from the consumer Data Industry Association representative that was compelling. In cases where entities are required to loan sometimes a great amount of money, they want to insure that a person is credit worthy and that the use of all nine digits of the SSN gives greater assurance of that person's identity.

"Because it is important to protect individuals from ID theft, I am weighing in on the side of advancing SB 3092."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3092, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1674-08) recommending that S.B. No. 3240, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3240, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1676-08) recommending that S.B. No. 1487, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1487, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 1487, but would like to express my concerns regarding an omission in this bill. I am rather disappointed that a hallucinogen called 'salvia divinorum' and 'salvia A' have been deleted from this present draft. Five states have already added it to their controlled substance lists and another 14 states have introduced legislation to ban the possession or sale of Salvia. Hawaii is the 15th state to consider this legislation.

"The substance, salvia, is being smoked by individuals to induce hallucinations, the effects of which are described by its users as similar to mescaline, ketamine or psilocybin. Presently it is for sale legally in specialty or 'head shops'. It is also widely touted on Internet sites aimed at young adults and adolescents. We know that this group is eager to experiment with these types of dangerous hallucinogenic drugs.

"We understand that it was omitted because of lack of a federal 60-day notice, but what is indeed unfortunate is that we must now wait until the 2009 Session to add this to the list of controlled substances. The Narcotics Enforcement Division of the Department of Public safety is also disappointed because it had wanted to 'get ahead of the curve' and prevent more young people from experimenting with this new drug, Salvia."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1487, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1677-08) recommending that S.B. No. 2094, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2094, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DRIVER LICENSES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1679-08) recommending that S.B. No. 2212, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2212, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of SB 2212, S.D.1, H.D. 2, relating to crime. Although this bill is no longer worded to strengthen the laws prohibiting sexual exploitation of a minor and certain activities associated with human trafficking, I continue to support this bill because it clarifies the offense of Promotion of Prostitution.

"Prostitution is an activity that affects all parts of Hawaii's society. It not only attacks the very moral fabric of our community, but it also robs us all of the contributions of the men, women, and children, forced into prostitution. We should not forget that many times, prostitution is not merely money-in-exchange-for-sex, but rather exploitation.

"As such, it is not enough to prosecute those who solicit prostitutes, but it is also important to prosecute those who force prostitution onto others. For some, prostitution is not a choice. There are instances where people are forced, coerced, or intimidated into prostitution. Those exerting the wrongful force, coercion, or intimidation should not be exempt from the law merely because they were not present at the moment of the illegal prostitution act.

"For this reason, I support SB 2212. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2212, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1681-08) recommending that S.B. No. 2900, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2900, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1682-08) recommending that S.B. No. 3050, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3050, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1685-08) recommending that S.B. No. 2768, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2768, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1686-08) recommending that S.B. No. 2857, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2857, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of SB2857 S.D.2, H.D.1.

"Mr. Speaker, SB2857 S.D.2, H.D.1, will protect the health, safety and rights of clients of home care agencies. Many families who must contract healthcare should be assured that those individuals providing care are properly trained and licensed by the Department of Health, and that the individuals and agencies are held to a high standard of quality care.

"Thank you, Mr. Speaker. I respectively request my colleagues to support this important bill."

Representative Tsuji's written remarks are as follows:

"This bill seeks to ensure standards of quality for the growing home care industry by requiring licensure of home care agencies by

the Department of Health (DOH) and appropriating funds for a position in DOH to assist with licensure and monitoring of home care agencies.

"Hawaii has a large elderly population and the health care services sector has evolved to respond to consumer demand in the community based provider markets. The elderly and disabled people desire to remain living in their homes.

"Home care agencies are differentiated from home health agencies in that they provide supportive services in the home. Some examples may include among other tasks - personal care services, companion services, social services, etc. All involve direct contact with the elder or disabled individual. Home care agencies are not licensed. The only requirement for operating a home care business in Hawaii is a general excise tax license.

"Ensuring a minimum level of competence for service providers is prudent so as not to compromise consumer safety especially since consumers in these cases are frail and/or elderly. It is our responsibility to assure them of freedom from potential abuse, exploitation, and improper care."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2857, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HOME CARE AGENCIES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1690-08) recommending that S.B. No. 988, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 988, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1693-08) recommending that S.B. No. 2262, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2262, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of S.B. 2262, S.D. 1, H.D. 2 which extends the sunset date for the Voluntary Employees' Beneficiary Association (VEBA) Trusts Pilot Program one year to July 1, 2010.

"I think this bill is a fair compromise for both supporters and opponents of this bill because it does not repeal the sunset date permanently, but it will give more time to see if the program warrants an extension.

"This bill will also allow for the completion of the comprehensive study required by SCR 178 passed last year that will document and validate the merits of the VEBA Trusts and issue a conclusion to whether an extension beyond the new sunset date is warranted.

"I believe this bill will allow the EUTF and the VEBA Trust to both identify their needs and accomplishments, so when the comprehensive study is completed in the coming months, we the Legislature, will be able to gauge as to whether the VEBA Trust program needs to be continued or incorporated into the EUTF. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2262, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1694-08) recommending that S.B. No. 2150, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2150, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1695-08) recommending that S.B. No. 2083, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2083, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF ADULT OFFENDERS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1697-08) recommending that S.B. No. 1891, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1891, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1739-08) recommending that S.B. No. 1720, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1720, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1740-08) recommending that S.B. No. 2151, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2151, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE OMBUDSMAN," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1741-08) recommending that S.B. No. 2157, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2157, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1742-08) recommending that S.B. No. 2396, SD 1, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2396, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1743-08) recommending that S.B. No. 2542, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2542, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1744-08) recommending that S.B. No. 2830, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2830, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of SB 2830 S.D.2, H.D.2.

"Mr. Speaker, this bill will greatly enhance the Committee on Family Caregiving.

"SB 2830, S.D.2, H.D.2, will further the existence of the Joint Legislative Committee on Family Caregiving by changing the Committee's name to the Joint Legislative Committee on Aging in Place (JLCAP). This change will allow for JLCAP to develop a model for a cash and counseling project. In the State of Hawaii, *kupuna* raising grandchildren and community-based family caregivers have relatively limited resources. SB 2830, S.D.2, H.D.2, will provide necessary services in the areas of volunteers; education and training; financial assistance and incentives; establishes a task force to focus on the needs and issues of grandparents raising grandchildren; appropriates funds to the Kupuna Care Program. SB2830, S.D.2, H.D.2, will provide caregivers and *kupuna* with the invaluable resources they need and deserve.

"Thank you, Mr. Speaker. I respectively request my colleagues to support this important bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2830, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1746-08) recommending that S.B. No. 3080, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3080, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII HEALTH SYSTEMS CORPORATION BACKGROUND CHECKS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1747-08) recommending that S.B. No. 3228, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1748-08) recommending that S.B. No. 2785, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2785, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1752-08) recommending that S.B. No. 2218, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2218, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of SB 2218 regarding Electronic Monitoring.

"The purpose of this bill is to protect victims of domestic violence from convicted offenders who violate temporary restraining orders or protective orders. It appropriates funds to the Judiciary to cover associated costs for offenders who are unable to afford the monitoring device.

"The bill will allow the court to do the following: (1) prohibit contact with the victim by establishing court-defined geographic exclusion zones; and (2) require the offender to wear a global positioning satellite tracking device.

"In January of this year, two domestic violence incidents occurred which ended in brutal murders. The first incident was Jenny Hartsock who was murdered by her husband. She was stabbed multiple times and was left to die outside her apartment with a 14-inch knife protruding from her chest. The second incident was Janel Tupuola who was murdered by her boyfriend. He pursued her while she was driving, crashed into her car, chased her around the car, then, bludgeoned her to death using the butt of a rifle.

"These two murders prove that even though the court grants a temporary restraining order or protective order it does not keep women safe from their abuser.

"I recently received a letter from a woman who thanked me for proposing this bill. This woman was in a physically abusive relationship with her ex-boyfriend for over ten years. In December 2002, he beat her so severely that she finally realized he would eventually kill her. This woman took positive steps in mitigating the situation by enrolling in programs at the Family Peace Center. The Center offers programs for adults and children in order to provide peace to Hawaii's families by offering safety, support, empowerment and accountability to survivors, offenders and child witnesses to domestic violence. She chose the Maluhia Victim/Survivor Family Component program that serves survivors of domestic violence. This loving mother chose for her daughter, the Haupoa Family

Component program that works with children who have witnessed domestic violence in the family.

"Although it has been five years since the temporary restraining order was granted, she still has "encounters" with the ex-boyfriend. This woman and her daughter still fear for their safety and as a consequence, have curtailed public outings.

"This woman's story has touched me so much. Now, more than ever, I definitely believe an electronic monitoring device will serve as an additional tool that would assist the court in protecting victims and their children's safety.

"I urge the members to support this bill."

Representative Evans' written remarks are as follows:

"Mr. Speaker, I'm in support, but I have some concerns. My concerns are a result of a hearing that was held in the Public Safety and Military Affairs Committee, which I am the Chair. Our Committee listened to a bill regarding electronic monitoring in lieu of incarceration or for individuals with community-based custody status. I wish to bring to your attention those two concerns discussed in our Committee.

"First, the technology for electronic monitoring is improving, but there are many areas around the State where GPS cannot pick up the signal to determine the location of the individual. Thus, a victim of abuse may become too confident on the monitoring system and stop taking necessary precautions to protect themselves.

"Second, the cost for the individual to wear an electronic monitoring device is estimated at $25 per day. If one wants to get a warning on their cellular phone that the individual wearing the device is nearby, there is another charge of up to $25 a day. I'm concerned the cost is too high.

"The technology continues to improve and maybe we are premature in thinking this device will keep someone safe. For these reasons, I'm in support with some concerns."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2218, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1758-08) recommending that S.B. No. 2956, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2956, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This bill will provide an even playing field for these local businesses. Both the Department of Agriculture and the Hawaii Farm Bureau Federation supported this bill in the Finance Concerns.

"With the recent closure of the last dairy on Oahu and only two dairies left in this State, this measure comes at a time when our industry needs all the support they can get. My only regret is that this bill was not passed sooner. Thank you, Mr. Speaker."

Representative Tsuji's written remarks are as follows:

"This Bill ensures the state's dairy producers are paid a price commensurate with the quality of milk they produce. It would establish that 100% of local producers' milk produced within their quota will be used for fluid consumption, rather than for Class II purposes. The measure also calls for the Department of Agriculture to engage stakeholders of the Hawaii milk production industry in collaborative discussions to establish recommendations for short and long term initiatives. This would play an important role in the revitalization of our state's dairy industry.

"Hawai'i's dairy industry is in a critical state. There are only two dairies remaining in the state and this measure would provide much-needed support to a vital industry that is struggling to survive."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my strong support for Senate Bill 2956, which would promote the Hawaiian dairy industry and insure that these producers are paid a price commensurate with the quality of the milk they produce. Senate Bill 2956 will remove the twenty-percent quota limit set for Hawaiian producers and redefine Class I milk as Hawaiian produced fresh milk. This bill provides much needed support for the Hawaiian dairy industry, which has receded to the point of near extinction, by allowing them to produce higher quantities of milk and potentially increasing their market share.

"Mr. Speaker, this bill not only strengthens the Hawaiian milk industry, but it also is a great benefit to all the people in our State, as local consumers will now be able to purchase the freshest milk available in higher quantities. So this bill is a win-win, a good decision for our State, and I offer it my strongest support.

"Thank you for this opportunity to offer my support to this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2956, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK," passed Third Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1760-08) recommending that S.B. No. 3001, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3001, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1761-08) recommending that S.B. No. 2660, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2660, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of S.B. 2660, S.D.3 H.D.2.

"Mr. Speaker, we both know that the cost of a college education has shot beyond the financial means of many families in Hawaii. That is why this Legislature has sought to pursue various options to make a college education more affordable for more families. One of those options has been the Hawaii College Savings Program.

"This measure provides a strong financial incentive by creating a maximum deduction against taxable income, for contributions made to the college savings program. Any assistance, *especially financial assistance*, that enables more families to provide a college education to their children moves us in the right direction.

"The experts tell us that if a student earns his or her high school diploma, they can earn up to 1.2 million dollars during their working life. If they acquire an associate's degree from a community college, it raises their earning power to 1.6 million dollars. A college degree will allow a person to earn over 2.1 million dollars over their lifetime.

"Mr. Speaker, it is clear that educational attainment is a critical workforce development issue, and encouraging greater educational attainment is our responsibility. However, we must also invest in our higher educational institutions, so that they can do the best job possible.

"That is why we must question the wisdom of the Governor's refusal to release all of the 18.2 million dollars that was approved by the Legislature for Hawaii Community College. That funding would have gone a long way in providing newer and better opportunities for the many students that are current or future enrollees of Hawaii Community College.

"We know that the community college plays a critical role in providing opportunities to many in our community. Many times it provides a "second chance" to single moms who are trying to make a better life for their families, or ex-offenders who are ready to rebuild their lives. The community college also provides that important bridge for many to move into a four year college experience.

"For way too long we have neglected to invest in the necessary infrastructure at Hawaii Community College. Yet through sheer dedication and determination the faculty and students have been able to rank in the top 20 community colleges in some national comparisons. Probably due to this kind of success, there currently is a shortage of room for students who want to improve their chances at success, by enrolling in Hawaii Community College.

"Mr. Speaker, a college education is an important tool in developing the best educated and best skilled workforce. This bill will take us one step further along that path."

Representative Marumoto's written remarks are as follows:

"Constituents of the 19th House District are not very demanding. They pay taxes – a lot of taxes – State, federal income taxes and property taxes. However, they are very concerned about education. As a middle to high socioeconomic district, residents know that the key to success is through education. They often make too much to qualify for financial aid or need scholarships, and they are not rich enough to shell out college tuition easily.

"After requests to fill potholes, I get queries for tax credits or deductions for private school tuition. Though I see the need for them, I do not think the Legislature would enact such legislation until Hawaii freezes over. The next best benefit would be a State 529 Program that grants deductions for college tuition. After paying private school tuition for lower education, parents are in need of some relief for higher education.

"SB 2660 would help parents cope with the high cost of college and Hawaii taxes and our cost of living."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2660, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COLLEGE SAVINGS PROGRAMS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1763-08) recommending that S.B. No. 3023, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3023, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Marumoto's written remarks are as follows:

"I am strongly in favor of SB 3023 to keep Hawaii's captive insurance industry healthy and competitive. Allowing the establishment of special purpose financial captive insurance companies would keep us competitive with eight states plus the District of Columbia that already allow these entities.

"It is important that Hawaii captives provide reinsurance to insurers to help share risk. It is also vital that the Legislature retain and provide Hawaii captives the ability and flexibility to match other venues. The growth of our captive companies is a financial success story, and we should not allow any weakening of this healthy and well-regulated industry."

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3023, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1764-08) recommending that S.B. No. 3171, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3171, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1766-08) recommending that S.B. No. 1337, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1337, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1767-08) recommending that S.B. No. 2040, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2040, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CANCER SURVEILLANCE," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1770-08) recommending that S.B. No. 2878, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2878, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1771-08) recommending that S.B. No. 3004, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1772-08) recommending that S.B. No. 3005, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3005, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

THIRD READING

S.B. No. 2808, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2808, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL IMPACT STATEMENTS," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

S.B. No. 3068, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 3068, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

S.B. No. 2838, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2838, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Waters being excused.

At 9:22 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2668, SD 2, HD 1
S.B. No. 2831, SD 1, HD 1
S.B. No. 2961, SD 2, HD 2
S.B. No. 3006, SD 1, HD 2
S.B. No. 3019, SD 1, HD 2
S.B. No. 1491, SD 1, HD 2
S.B. No. 2034, HD 2
S.B. No. 2816, SD 1, HD 2
S.B. No. 2528, SD 2, HD 1
S.B. No. 3030, SD 2, HD 2
S.B. No. 3174, SD 2, HD 2
S.B. No. 3190, HD 1
S.B. No. 2986, SD 2, HD 1
S.B. No. 2652, SD 2, HD 2
S.B. No. 2041, HD 1
S.B. No. 3074, SD 1, HD 1
S.B. No. 3255, SD 2, HD 2
S.B. No. 644, SD 3, HD 3
S.B. No. 3185, SD 2, HD 1
S.B. No. 2273, SD 2, HD 3
S.B. No. 2433, SD 2, HD 1
S.B. No. 3015, SD 2, HD 2
S.B. No. 2449, SD 2, HD 2
S.B. No. 2782, SD 2, HD 2
S.B. No. 3092, SD 1, HD 1
S.B. No. 3240, SD 1, HD 2
S.B. No. 1487, SD 2, HD 2
S.B. No. 2094, SD 2, HD 2
S.B. No. 2212, SD 1, HD 2
S.B. No. 2900, SD 1, HD 1
S.B. No. 3050, SD 1, HD 2
S.B. No. 2768, SD 2, HD 1
S.B. No. 2857, SD 2, HD 1
S.B. No. 988, SD 2, HD 3
S.B. No. 2262, SD 1, HD 2
S.B. No. 2150, SD 2, HD 2
S.B. No. 2083, SD 2, HD 1
S.B. No. 1891, SD 1, HD 1
S.B. No. 1720, SD 1, HD 2
S.B. No. 2151, SD 2, HD 1
S.B. No. 2157, SD 1, HD 2
S.B. No. 2396, SD 1, HD 3
S.B. No. 2542, SD 2, HD 2
S.B. No. 2830, SD 2, HD 2
S.B. No. 3080, SD 1, HD 1
S.B. No. 3228, HD 1
S.B. No. 2785, SD 1, HD 1
S.B. No. 2218, SD 1, HD 2
S.B. No. 2956, SD 1, HD 1
S.B. No. 3001, SD 2, HD 2
S.B. No. 2660, SD 3, HD 2
S.B. No. 3023, SD 2, HD 2
S.B. No. 3171, SD 2, HD 2
S.B. No. 1337, HD 1
S.B. No. 2040, SD 1, HD 2
S.B. No. 2878, SD 2, HD 2
S.B. No. 3004, SD 2, HD 2
S.B. No. 3005, SD 2, HD 2
S.B. No. 2808, SD 2, HD 1
S.B. No. 3068, SD 1, HD 1
S.B. No. 2838, SD 2, HD 1

The Chair then announced:

"Members of the House, I would also like to remind you that you need to let the Clerk know which Senate Bills on the Consent Calendar you will be inserting your written comment on for the Journal. This must be done before the adjournment of today's Floor Session."

At 9:23 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 9:41 o'clock p.m., with Vice Speaker Chong presiding.

ANNOUNCEMENT

Representative M. Oshiro, for the Committee on Finance, requested a waiver of the 48-hour notice requirement to hear the following resolutions on Wednesday, April 9, at 1:00 p.m., Agenda 1A:

HR 71, HD 1, and HCR 62, HD 1, Urging the Board of Education to only Purchase or Lease Large School Buses that have an Operable Seat Belt Assembly at all Designated Seating Positions and Seatbelt Positions at least 24 inches in Height.

Representative M. Oshiro: "The reason for this waiver Mr. Speaker, is that originally this House Resolution was set on the decision making agenda. It is now moved to the hearing agenda, Agenda 1A, and that's the reason for the waiver. Thank you," and the Chair "so ordered."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1631-08) recommending that S.B. No. 1526, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1526, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1632-08) recommending that S.B. No. 2146, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2146, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Senate Bill 2146. We heard this bill. We had a House version and now we're voting on the Senate version. This bill was originally enacted into law as Act 198 without the express knowledge or consent of the bedside care nurses.

"The cost is negligible at $40 every two years. However, the problem the nurses have with it is that the inception of the measure along with its exclusivity, making nurses the sole funding source for the Center for Nursing, that is the thing that they really object to.

"In looking at some testimony from Keith McCloskey, an RN, he's goes into some history that in '02 and '03, the nurses were striking at various hospitals. They had to also fight a takeover of their union by a California nurses union. So they were very busy and also many of them were fired from their jobs after the strike. So it was a very tumultuous time for the nurses, and they were not really present here when we were considering this.

"In testimony, I thought it made sense. They felt that the major beneficiary of this Nurses Center, if they do come up with data and figure out a way to get more people into nursing, it would be the hospitals and the various medical facilities. Yet they are paying nothing in the support of this Center. So it was spotty in Committee hearings. In one Committee hearing, there were nurses that vehemently objected to it, and in other Committee hearings, they were not present.

"But I've seen enough testimony. I've talked to enough of these nurses that have made clear that they don't want this bill to go on and on. And they also question the results. It's been five years. We haven't seen a report with all this data. So for those reasons, I'll be voting no. Thank you, Mr. Speaker."

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans's written remarks are as follows:

"Mr. Speaker, please note my vote with reservations. I've been consistent in voicing my reluctance to support this effort whenever it has come before the House. Why? Because the administrators of hospitals and the faculty of higher education should be addressing the shortage of nurses and determining what it will take to attract more people into nursing and patient care.

"On another note, I wonder why it is going to take five years to look at the profession, new graduate registered nurses turnover, and best practices for the retention of nurses.

"Finally, it seems wrong to totally count on monies from nurses to fund the Center.

"The only reason I'm casting an aye with reservations is due to the aging of our population and the need for more nurses. We have to find solutions immediately to avoid a crisis in the not so distant future."

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Thank you. I request a potential conflict ruling. My husband is a nurse and would be subject to the fees," and the Chair ruled, "no conflict."

Representative Belatti continued in support of the measure with reservations, stating:

"Thank you. Can I note my reservations and just add that my reservation is based on the fact that maybe the cost of the Center for Nursing could be shared among the hospitals as suggested by earlier speakers. Thank you."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I would like to disclose a potential conflict. My mother is a nurse," and the Chair ruled, "no conflict."

Representative Pine continued in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Mizuno rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support of Stand. Com. Rep. No. 1632. Thank you. The average age of registered nurses in the State of Hawaii is 49 years, underscoring the need to train additional nurses to replace those who are retiring or will be retiring soon. Hawaii's long-term care facilities also face a shortage of licensed practical nurses. In fact, so important is the nursing profession in Hawaii that our Governor, Governor Lingle states that the demand for registered nurses in Hawaii is expected to increase significantly over the next fifteen years.

"This bill highlights two important issues. First there's an urgency, an urgency to get more nurses and retain our current nursing pool. Second, this bill represents a fundamental established principle that we can all agree upon. We support healthcare and we support those that need it the most: our *kupuna*, our *keiki* and our disabled. Also I wanted to talk about the financial implications of this measure.

"Mr. Speaker the Nursing Center provides its services on a University of Hawaii campus. They're allowed to use these facilities free of charge. This amounts to approximately $100,000 in in-kind donation for that use per year. In addition, they have secured grants approximately $400,000. So we're looking at about a half million dollars that this Nursing Center has been able to secure. Without it,

this wouldn't exist. Without it, the Nursing Center wouldn't exist and we wouldn't be able to retain or seek more nurses for the State of Hawaii.

"Finally if I can add to this. Governor Lingle states that nurses are invaluable members of our healthcare system, both for their medical knowledge and compassion. I agree with the Governor. We should support our nurses and we should support this Nursing Center. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and just some comments please. Mr. Speaker, I think everyone realizes that the nurses are very instrumental to healthcare. We value them as mentioned in the Governor's comments previously mentioned.

"I think the issue here, and we have to raise an eyebrow when the nurses themselves, and the amount that they're paying which is $40, I think, per year, that they're questioning the worth of this Center. They're saying no. They fully know that that could mean the demise of this particular Center and yet they're speaking out very strongly that they'd be okay with one more year, but not necessarily five.

"Mr. Speaker when those words come from these very same nurses that are on and in hospitals, in doing this hard work, you have to wonder why. And I just wonder if they can see the value in that $40 per year. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"First of all, Mr. Speaker I'm rising in support with slight reservations. But I also want to disclose that I'm a registered nurse. So I've paid $40 every two years, which is $20 every year. And I think because we have so many problems with nursing being that we are in short supply, that the Center would help us research what needs to be done with the profession so we can move on and be able to analyze and implement what needs to be done with the profession.

"And I agree with the Representative from Kalihi and what he said about nurses. It is true. But I also want to err on the side of reservation. And as noted by my colleague from Makiki, the Center should be partly supported by the private companies also who stand to benefit from a good supply of nurses.

"So I'm voting in support, but I think there is something that we need to go back and work on next year, and that is to incorporate the funding from the private companies as well. Thank you, Mr. Speaker."

Representative Mizuno rose to respond, stating:

"Thank you, Mr. Speaker. Still in support. I just wanted to address some of the concerns by the previous speakers. The $40 fee is actually for two years, not one year. That $40 fee paid by those licensed nurses comes out to be $1.66 per month.

"Second of all, when we are stating nurses, the ones that have some concerns about the measure are actually from the Hawaii Nursing Association. They represent approximately 4,000. If we're looking at the nursing workforce as a whole in the State, they come out to about over 18,000 nurses. So when we use the word 'nurses', we should probably clarify where they're coming from or what organization they represent.

"Again, we have been talking to the new Executive Director, Stuart McKinley and he has interest to work on a measure that would be beneficial and acceptable to his organization. Again, he's the new Executive Director for the Hawaii Nurses Association. Thank you, Mr. Speaker."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I just wanted to just briefly describe the course of the reason why the Center for Nursing is here in the first place. About five years ago, if you recall there was a strike, a nursing strike that basically polarized our medical facilities and specifically Queen's right across the street. And it was at that time, after 10 years of trying, that the nurses, the medical facilities, and a whole bunch of other people came together and said, 'You know what? We've got to right this wrong,' and we created the Center for Nursing because the Center for Nursing will play a vital role in determining once and for all, what the staffing needs for these facilities are, the retention concerns and the recruiting issues facing this profession.

"It was the nurses that begged us for 10 years prior to passage, to create this Center and I think that we should heed the advice of the Vice Chair of Health only because I think that the Hawaii Nursing Association has gone through significant transitions in the past couple of years. I think that now, with the new Executive Director, there is some stability in the organization and they can take a look at once again the purpose of the Center for Nursing, and why that Center is going to help them in the future.

"I think if you take a look at this particular measure, and people have already said that it's only $40 for two years. But I think more importantly, it creates, I think from the standpoint of the nursing profession, an example for the other professions throughout the State.

"I just hope that we can keep this Center alive and allow the Center to do what the bill now says for them to do, not only to study the implications of the nursing occupation longitudinally for five years, but more importantly to look for additional ways to support the Center outside of fees for nurses. I urge the Members to support this measure. Thank you."

Representative Pine rose to respond, stating:

"Just briefly, I just wanted to clarify in my opposition in response to the Vice Chair of Health. I'm very much in support of nurses. I was raised by one all my life and I know the struggles that they go through, and so I support them. And I'm voting no because I support the Hawaii Nurses Association that redirects from having their salaries used to pay administrators for data to be collected, that some of them believe they could collect themselves for free. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, very much. I think what I'm concerned about is when the nurses were there, and have to come to hearings, and they've expressed their unhappiness about being the only funding source for this Center. It's as if we are not listening to them. They objected to us extending the sunset, and on this bill this was to sunset on July of '09 to figure it out. They came to the point where they said, 'Okay, that's all right,' but now we're extending it to 2014 and that's really like a slap in the face for them.

"I hope that perhaps in the Conference process, we can perhaps get somebody else to help fund this and maybe reduce what the nurses have to pay, but make some kind of a compromise, not just discount this whole group of bedside nurses. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2146, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Finnegan, Marumoto, Meyer, Pine and Thielen voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1633-08) recommending that S.B. No. 2314, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2314, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker I rise in opposition to Senate Bill 2314, HD 2. This measure purports to find ways to improve the insurance marketplace by providing an exception to the anti-bundling provisions of the Insurance Code, allowing mutual benefit societies to condition the issuance of renewal health insurance policies on the purchase of dental and vision insurance. What this measure does however, is weaken our State's anti-bundling provisions of Insurance Code at the expense of consumers.

"Ultimately this measure forces consumers to purchase one product as a prerequisite for buying another product that they may not want or need. The main advocate of this bill, the Hawaii Medical Insurance Association argues, and the underlying Finance Committee Report adopts the reasoning, that because federal anti-trust case law allows tying arrangements like those used by HMAA that we as a State should adopt this policy. I would argue that we as a State, pride ourselves on providing protections to our citizens, sometimes more stringent than the federal government, and that we do not simply follow federal case law in crafting policies that are intended to protect Hawaii consumers.

"I urge my colleagues to vote no on this measure and to take a closer look at the testimony, especially the testimony of the State Insurance Commissioner that has been submitted in opposition to this measure in the underlying Committees. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2314, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 45 ayes to 4 noes, with Representatives Belatti, McKelvey, Pine and Thielen voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1639-08) recommending that S.B. No. 3257, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3257, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. Thank you, Mr. Speaker. I did want to recognize the work of the Department of Human Services under the leadership of its Director for making strides in the past years that she's been Director, in regard to this situation of Medicaid presumptive eligibility, and getting more people that need help onto the rolls of Medicaid.

"My concern with this is basically, we do have some very good processes in place and it's hard to collect from people who are presumed eligible if they end up not being eligible after the fact. It's not like you are able to say, 'Hey you know what? Let's collect from you.' These people, if they are on this list, you would guess it would be difficult from them.

"The other thing is when there is this presumptive eligibility and someone maybe does not qualify, I think its 45 days, that would be money used for people that aren't eligible before, and not able to be used for people who are eligible because money is tight. And so with those reasons, I will be voting with reservations, but I'd also like to submit written comments. Thank you."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 3257, S.D. 3, H.D. 2 which requires the Department of Human Services to provide presumptive eligibility to Medicaid or QUEST eligible waitlisted patients. My reservations stem from testimony provided by the Department of Human Services, stating that mandating presumptive eligibility for waitlisted individuals will not address the problem because the barriers are not Medicaid eligibility related. We should be cautious in subsidizing non-medicaid waitlisted patients if we don’t know how many there are. Presumptive eligibility could cost the State around $15 million annually. Thank you, Mr. Speaker."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On that same measure, I'm going to be voting no. The real sticking point is that only State general funds will be used to pay the providers on the health plans because federal funds cannot be accessed until a person is determined Medicaid eligible. So it's presumptive eligibility, and they're getting medical attention until they get the final determination, only State general funds can be used. And then if they're not eligible, that's it. They pay it. This is going to draw down on our State funds.

"The other thing is that the Department of Human Services has started, just in March 1 of this year, an expedited eligibility that they can actually do in five days. So those are the reasons why I can't support it. Thank you."

Representative Lee rose to speak in support of the measure, stating:

"I rise in support, Mr. Speaker. Just briefly. This is one tool that we may use to assist the hospitals to move the waitlist of patients off of acute care. It's something that's desperately needed by the hospitals. I realize there's some problems related to it, but I think we ought to consider this bill strongly. Thank you. And written comments in addition."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I speak in support. Some days there are as many as 275 persons in Hawaii waitlisted for transfer to longterm care, taking up bed space in our acute care hospitals. The higher cost of these beds results in a fiscal loss for the hospitals, not to mention a poor quality of life for the patients.

"In 2007, the Legislature adopted SCR198 requesting the Healthcare Association of Hawaii (HAH) to study the waitlist problem. With the aid of a consultant, HAH found that establishing a Medicaid presumptive eligibility process would reduce the period of time patients would be required to stay in acute care.

"The Department of Human Services Eligibility Branch has stated they are beginning a new process whereby eligibility would be determined in five days. Even with this plan, it seems a presumptive eligibility process would help to break the log jam that exists and get waitlisted patients out to community care more quickly. This problem has been around for more than 10 years and needs action from the Legislature.

"In addition, we must address the issues of reimbursement, capacity, government regulations and workforce. If we do not act, hospitals may be forced to close or to turn away acutely ill patients.

"I urge the members support."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. Still with reservations. And I just wanted to follow up on that comment and reiterate from the Representative from Kahuku, the Minority Floor Leader, that beginning March 1, 2008, presumptive eligibility is not necessary for hospital acute care patients waitlisted for non-hospital based long-term care services because the Department has just implemented a five-day expedited process determining eligibility for Medicaid applications from hospital waitlisted patients. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3257, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MEDICAID PRESUMPTIVE ELIGIBILITY," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1643-08) recommending that S.B. No. 2394, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2394, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. Rep. No. 1643, I'm going to be voting no on this measure. This is a bill we heard in the Finance Committee. I was concerned that the University of Hawaii is the largest science and technology organization in the State of Hawaii, and yet they're not included in this bill.

"The University was not counted in the consideration of this measure. That was troubling to me. The technology master plan, is a much more comprehensive plan that includes various stakeholders, calls for biannual reviews, and will assist the Legislature in maintaining an overall framework to guide the development of science and technology, including the development of new technology parks.

"This bill actually amended an Act we passed in 2007, but which had an appropriation of $150,000. That was removed and $400,000 was put in there for a new tech park which was not identified. Where it would be, or exactly who would be operating it. It just seemed like a real vague framework and the fact the University of Hawaii wasn't even part of it, that was troubling to me. Thank you."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 2394, H.D. 2 which amends Act 150, providing funds to the High Technology Development Corporation (HTDC) to prepare a science and technology master plan for Hawaii and for planning of a technology park. Is this the best use of our resources at this time? We are proposing the allocation of $400,000 for HTDC to plan for a technology park and to prepare a master plan for the State. Much has been done in this area. I believe the direction and plan is already in place. Enough thinking, it is time to do. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2394, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH TECHNOLOGY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1645-08) recommending that S.B. No. 2843, SD 2, HD 2, as amended in HD 3, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2843, SD 2, HD 3, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker I would be remiss if I didn't point out the folly, or footnote at least, of this particular bill which is about recycling electronic devices. It names just about every electronic device you can imagine, except for those that are on our tables. That is the computer. It doesn't mention computers. This is something that came out in the Finance Committee. For some reason it was not noted and changed, but is something that's really a big flaw and it makes us all look like we're absent-minded in terms of our recycling responsibilities to computers. It says, 'computer printers', but it doesn't say 'computers'. So Mr. Speaker whoever is going to be on the Conference Committee hopefully they'll take full recognizance of that. Thank you."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to SB 2843 SD2, HD3, Relating to Electronic Device Recycling.

"This measure is redundant in that certain companies and manufacturers have already implemented their own recycling and "take back" programs. Should this measure pass, it may negatively impact these programs which often collect wireless equipment for refurbishing and reuse.

"In addition, the Department of Health has serious concerns about funding and prefers a program that is privately run and does not require the establishment of a new State program.

"If this Legislature insists on performing a task that private industry has apparently been willing and very able to accomplish, the Texas E-waste Law should be used as a model. In that program, manufacturers selling computer equipment implement a recovery plan for recycling devices. Manufacturers pay to carry out their own plans. There is no collection fee and they may select from a variety of options. They then submit reports to the State documenting recycling and reuse efforts.

"Because private industry is doing a more than adequate job at promoting the recycling of electronic products and government will not likely be able to match the efficacy of private industry recycling programs, I oppose SB 2843 SD2, HD3, Relating to Electronic Device Recycling."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2843, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

At 10:07 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1526, SD 2, HD 3
S.B. No. 2146, SD 2, HD 1
S.B. No. 2314, SD 1, HD 2
S.B. No. 3257, SD 3, HD 2
S.B. No. 2394, HD 2
S.B. No. 2843, SD 2, HD 3

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1649-08) recommending that S.B. No. 2842, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2842, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report No. 1649, I'll be voting no. My main issue is that the Department of Health already has a program, and I don't think we need to create a new one. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2842, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LIGHTING," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1651-08) recommending that S.B. No. 2313, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2313, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker in regard to Stand. Com. Report No. 1651, I rise Mr. Speaker, with reservations. This bill discontinues the Insurance Division's Insurance existing Fraud Investigations Unit, and establishes a new Insurance Fraud Investigations Branch to prevent, investigate and prosecute insurance fraud in all lines of insurance except workers' comp.

"Mr. Speaker, I realize that this bill or bills like these have had trouble in the past because of the workers' comp issue. And so although I do believe that this is still a good bill without workers' comp, I do have vote with reservations because that's one of the main areas in which I believe, business would like to see fraud investigations take place. Thank you."

Representative Herkes rose to speak in support of the measure, stating:

"In strong support. As far as worker's comp, the biggest cost driver in workers' comp fraud is from business. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this measure.

"This bill discontinues the Insurance Division's existing Fraud Investigation Unit and establishes a new Insurance Fraud Investigations Branch to prevent, investigate, and prosecute insurance fraud in all lines of insurance except workers' compensation.

"Mr. Speaker, I support the idea of prosecuting people who commit insurance fraud and believe they should be punished. However, I do not understand why we would exempt workers' compensation from being investigated. Workers' compensation is one of the most prosecuted insurance crimes in the country. If we are serious about eliminating insurance fraud in Hawaii, we must allow the Investigative Branch to investigate all types of insurance, including worker's compensation. Thank you."

Representative Marumoto rose in support of the measure with reservations, and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2313, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1653-08) recommending that S.B. No. 2663, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2663, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"In regard to Stand. Com. Report No. 1653, I am in opposition. Mr. Speaker, this stems out of a disagreement between the Governor and I think the Legislature, in regard to who can send names to the Governor to be considered nominees for the Hawaii Teacher Standards Board. What the Hawaii Teachers Standards Board, of course, does is license teachers and approve teacher preparation programs.

"The issue was that the Governor was also using other organizations to send down and accept proposals. This is what it does, it basically says that the only people that can forward names are any State chapter of national professional organizations that represent teachers or school administrations or the exclusive representative for public school teachers or the exclusive representative for public school administrators and the HAIS, which covers private school teachers. And I believe that everyone has to be a working teacher.

"One of the issues in regard to this is that I think recommendations were made by Hawaii School Charter Network and others. You wouldn't be able to take the PTSAs in regard to actual licensed teachers being able to forward those names to the Governor. I think this really narrows it down. One of the reasons why we have Charter Schools is because they're incubators for doing things a little differently, and to be able to take their recommendations of licensed teachers and be able to use them, I think, would be a positive thing for the Hawaii Teachers Standards Board. By focusing and funneling

it so we just have a few organizations, I think would be a disservice. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2663, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1656-08) recommending that S.B. No. 3076, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3076, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations regarding the epidemiology bill. Mr. Speaker, over the past years, I've learned a few things about epidemiology. As the Peace Corps Director in East Timor where disease was running rampant, one of my biggest jobs was to protect the lives of my 46 volunteers. Because of our proximity to Indonesia and Vietnam where SARS had been, and where avian flu was spreading, and even though it was only going from animals to human, not human to human, I had to have each of my volunteers given Tami flu, which if the outbreak of avian flu did take place they would inject themselves.

"This bill is similar in the sense that, I myself had a physician's assistant who was in epidemiology. This bill asks for epidemiology in the Department of Health, headed by the imminent Dr. Fukino. Instead of granting the request of Dr. Fukino, this bill says, 'Well, we're going to limit the epidemiology request to two.' Now two would seem to be enough, but it's rather short sighted and myopic in my opinion.

"Our State is visited in one year, by people from literally over a hundred countries. The possibility of SARS, avian flu and other virulent bacteria or viruses is very easily conceivable. The Department of Health needs our support to fully, not half-way, be prepared to do the right thing if and when such an outbreak would take place.

"Mr. Speaker, my request is that the Conference Committee would seriously go back to the original version of this bill, and that is where Dr. Fukino simply wanted to say give me more epidemiologists without specifying it or limiting it to two. Whoever is on the Conference Committee, I think can trust Dr. Fukino's judgment, and from there the original bill should be given serious consideration so we are protected from what otherwise, being isolated in the middle of the Pacific, we're very vulnerable to those very virulent bacteria and diseases. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm just voting with reservations. I would just want a broader classification in this bill. It is a good bill and it's a start, but if expanded, it would be better. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3076, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1658-08) recommending that S.B. No. 3009, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3009, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in strong opposition to this measure. This bill is about money transmitters, and we passed this measure last year. Now the Department is coming back to us asking for four full-time positions, Mr. Speaker.

"There are two things that are said about the State of Hawaii that I've heard repeatedly. One, we are the number two largest government size per capita; and we are anti-small business. Going back to number one, this bill asks for four full-time positions. And the thing that bothers me also with this is that the companies, the big companies that were once affected by this have already got an exemption. Banks, bank holding companies, credit unions, savings and loan associations, all have an exemption, which means the cost of the four full-time positions is now down to 29 members in which 12 of them are local businesses.

"I think that this is imbalanced, skewed and I dare say, scaring the small guy. An increase of fees up to 750 percent. I have never seen that before, Mr. Speaker. Furthermore, that cost will be passed on to the local users for the small people that send money to their loved ones. Those that use this small convenience to send a small amount of money and they will be charged a large fee.

"These four full-time positions are not needed for 29 companies. I can see them combing these businesses with a fine-tooth comb looking for trouble. One of the arguments given to me was that if they are doing right, they don't need to be worried. But yet Mr. Speaker, if you put four people out there, will they sit in their office and do nothing? No, they will be going out there looking for justification for their salaries every month. This is a cost of about $400,000 a year for those 29 companies.

"Lastly Mr. Speaker, I want to stage my protest again. This bill has something to do with international banks, international currencies, sending money to outside the United States, and dealing with immigrants. It should have been with the Committee on International Affairs. I urge the Members to vote no."

Representative Sonson rose to speak in opposition to the measure, stating:

"I do have to state my strong opposition to this measure. I know I spoke on Second Reading, and I need to express my opposition again and really explain to the body how I arrived at my decision and coming to the conclusion that this is bad public policy.

"Basically, public policy means a course of action or inaction chosen by us public officials to address a certain issue. We could express this in a body of laws, regulations, or in our decisions as a government. I've developed a test called the Sonson's Public Policy Analysis Machine or SPPAM, and it has four components. First we take a look at the elements of the issue, which is public issue, address the goal we're trying to accomplish, and the tools that we choose to use to the impact this issue, and of course it's effects.

"First, the issue. The issue, why this is before us is because banks are closing accounts of money transmitters. The reason for that is that there is a federal compliance provision that they have to fulfill in which they are in doubt where these monies are coming from, and what is it used for. Locally, that issue is we don't want to take cash because we cannot verify where this money comes from. Imagine one transmitter making it with a revenue stream of $25 million, and

if it's all in cash you have to wonder when this particular transmitter goes to the bank, the bank goes, 'Uh oh. You know, the Bank Secrecy Act. If it's over $5,000, we have to report it.' It's extra work. The bank can either charge them more, or hire more people to comply with federal law, or not take it at all.

"Unfortunately, the mainland experience for money transmitters has been pretty bad. If you Google this particular public issue, it's actually on a national level. It's huge in the other states. They're wondering where the monies are coming from, and we know this from these money transmitters, especially from California, New York and these big states. In the discussions in the hearing of this particular measure last year, when we passed the law of regulation in the State of Hawaii, it was the testimony of DFI that said that there are issues such as money laundering that we have to be concerned about. However evidence of money laundering was not before the Committee because they could not provide it. They merely said, 'We have money laundering. We have issues. We have problems like that. The FBI said so.' However the Commissioner was not able to provide any particular evidence for the benefit of those who are concerned.

"I spoke with, and I think this is from a very credible person in the banking industry. I won't say his name, but he does work with a lot of us. It is a local bank called First Hawaiian Bank; the bank that says, 'Yes'. He identified the issue locally as really, if they only didn't bring cash to us, it would not be a problem at all. This issue, if you localize it further and ask the transmitter who is promoting this particular measure, he would say, 'Banks are closing our accounts and they don't tell us why.' Well the reason is because you're bringing in a lot of cash, and making them do a lot of work. The reason is that cash cannot be trusted and that is why you need this law.

"The promoter, one of the money transmitters who is strongly in favor of this particular measure will say, 'I don't want my accounts closed. I'm hoping that with regulation, my accounts will remain open. I'm willing to pay. I don't care what I have to pay. I don't want the banks to close my accounts.' It's true that some banks do close accounts, and they have. American Savings Bank for one, closed accounts. First Hawaiian Bank has not. And other banks have not. This measure does not guarantee that banks will not close accounts. It will not address the issue of banks closing accounts.

"If the issue is banks closing accounts, the best way to fix that would to be to use a simple tool, which is to require that people that want money transmitted bring checks. Banks will not have to process these and will not have an issue with the federal law if you only bring checks. So the public policy tool that we use or are using here is over-regulation. It is too much and not necessary."

Representative Lee rose to yield her time, and the Chair "so ordered."

Representative Sonson continued stating:

"Thank you very much, Representative. It is not necessary. It is overkill. And it's an expense to the businesses. And as stated, there used to be hundreds of 'mom and pop' money transmitters in the State of Hawaii. We only have 12, according to the Commissioner. No, we only have 11.

"The reason for this, of course, is because it's very difficult to enter the market now. Licensing fees are up to $2,000. We were talking about $40 licensing fees for nurses earlier and that was too much. What about $2,000? But that is not all. It also includes a $4,000 auto-fee that is required in order to apply for license and again for re-license. In addition to that there's a cost in examination, which will cost $7,000 on average. The proponent of this measure, which is a money transmitter said, 'I volunteered for this because I'm so scared you're going to close my account and it's going to cost me $7,000 to do an examination.'

"Who does this examination, Mr. Speaker? It's not the four people that were mentioned earlier, which are the four people being requested in this particular measure. These people who are going to make an average of $79,000 each for a total $317,000 to employ four more people in our government democracy. It does not include that because the people who are doing the examination, who are charging these license transmitters $7,000 are bank examiners, who will be paid by, who? To be paid, not by DFI. They're not employed by DFI to do this. Well, they are employed at DFI to do this of course, but the fees are paid for by the money transmitter.

"What it boils down to Mr. Speaker, is that we have a public policy that is anti-business in particular. It increases our government bureaucracy. It is a measure that's flawed in such a way that it does not fulfill the goal which is to not close accounts. And certainly it doesn't do a service to the community who are benefiting from the money transmitters. The benefit Mr. Speaker, is that it used to be before we have regulations that a person working in Hawaii would be able to send money to their loved ones.

"If I may, I'll use the country, the Philippines, because it's very common here. They send money to their loved ones in the Philippines to support them, whether they're in school, whether they are sick. They send money to them very efficiently and very cost effectively. The average cost to send money Mr. Speaker is $15, $5 would be for the banks in the Philippines so that they can, after the money is transmitted to the Philippines that cost is a given $5. Five dollars would be for the money transmitter here, and $5 for the workers. That's all.

"With this measure, I think it is unworkable. It went through the SPPAM test and it fails. Therefore I urge my colleagues to take a look at this again. If it does come back from Conference Committee, and I hope that it will be a better way to create public policy that's more useful to our constituency. Thank you, very much."

At 10:27 o'clock a.m., Representative Cabanilla requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:28 o'clock a.m.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker I'd just like to note my reservations, and in light of my esteemed colleague's comments, I hope that as this proceeds to Conference that maybe looking at the fee structure and how to make it more reasonable in consultation with DCCA, might be an avenue that we can take. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure with reservations, stating:

"With reservations for similar concerns. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I will be voting with reservations. It's nice to see that the Representative from Waipahu is doing a lot better and well now. We miss his passionate debate. Mr. Speaker, I would also like to vote with reservations, as I will go through in more detail using his SPPAM analysis. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, with slight reservations. Based on the previous speakers on the Floor today, I want to make sure there is a balance. I do know that this is about protecting the consumers too, and that didn't come up in the speech. But I do think there's possibility of some merit to their argument on how it is impacting the people who want to be licensed. Thank you."

Representative Manahan rose to speak in support of the measure, stating:

"Mr. Speaker, I'd just like to stand in support. I did meet with the concerned money remitters last night, and we're working through the bill and through these issues. But I'd like to shed some light and hopefully we can address these issues during Conference. I just wanted to shed some light with regard to the fee structure and how much actually these money remitters are handling and the volume they're actually doing.

"This is from DFI, the Department of Financial Institutions. Audited financial statements for the year that ended in December 31, 2006, the money remitters disclosed that, out of the eleven, nine money transmitters reported positive net incomes; and two money transmitters reported losses. However all eleven money transmitters reported new positive net worth. So everybody made a profit.

"Operating reports from the three months ending November 30, 2007, average number of remittances, for each remitter over a period of three months is 1,405 transactions. Every dollar amount of remittance over three months is about $678,000 to $999,000. That's over three months, so each of them are doing about $200,000 of remittances a month.

"Average dollar amount of each remittance over a period of three months is about $483. And the average number of operating locations over three months is two.

"The largest three money remitters in this business for one year report an average number of remittances each over three months is $8,412 and these are the larger money remittance of the so-called, 'mom and pops'. The average dollar amount remittance is over $3,419,309, and the average amount of each remittance is about $406. And I'd like to insert additional written comments please. Thank you."

Representative Manahan's written remarks are as follows:

"Mr. Speaker, because Hawaii has a relatively large immigrant and ethnic population, with many of our residents having friends and families in foreign countries, money transmitters provide a valuable service in sending money overseas. This industry, however, has great potential for fraud, and it is important that the State place adequate regulations on money transmitters in order to protect consumers. When it comes to money, our first priority must be to ensure that these businesses are trustworthy.

"I support this bill, SB3009, which proposes more effective regulation. There is an irrational fear that the bill will somehow hurt "mom and pop" licensees, and make it unaffordable for them to stay in business. This is not true. Instead, this bill creates a more even playing field between the large non-banks money transmitter and the mom and pop operations, and provides much more assurance that they will be able to stay in business and serve the public in a professional manner for the long-term.

"Until 2006, money transmitters in Hawaii were not even regulated. In that year, the State Legislature passed Act 143, which required that money transmitters be licensed and regulated by the State Department of Commerce and Consumer Affairs. Currently, there are a little more than 40 licensed money transmitters in Hawaii, and out of that, there are 12 licensees that are headquartered locally.

"The bill does increase fees for the application, license and renewal license fee to $2000, and increases the fee for an additional location in the State to $300 plus increase of DFI Audit fee from $40 to $65 an hour. It also increases the maximum fee cap to $15,000. These increases are reasonable and affordable, even for the mom and pop operations. I talked with a licensee who has nine agents; they do approximately $20 million in transmissions per year, and they are considered small compared to the large non-banks money transmitter.

"Further, in order to reach the $15,000 maximum fee cap, a business would have to have 43 agents under one licensee. That is a fair maximum level considering the amount of money brought in by the number of business transactions.

"Local money transmitters should realize that their competition is not the large banks nor large non-banks money transmitter. The real competition is the banks that are Philippine-based. Because some of them are subsidized, these banks are able to charge less and operate at a loss for a period of time long enough to develop a customer base. Because they are subsidized, they can do business for years by undercutting our Hawaii money remitters until they gain the customer's loyalty.

"The large non-banks money remitter in Hawaii, because of the sheer number of their agents, are bearing most of the cost, about $375,000, of implementing the money transmitter program through SB3009. This program is essential to help ensure that Hawaii's money transmitters comply with all state and federal laws, and can assist local businesses, large and small, with information and best practices.

"For example, money transmitters must be in compliance with the Bank Secrecy Act of 1970, the BSA, otherwise known as the Currency and Foreign Transactions Reporting Act. Specifically, the Act requires financial institutions to keep records of cash transactions exceeding $10,000, and to report suspicious activity that might signify money laundering, tax evasion, or other criminal activities. Several anti-money laundering acts, including provisions of the U.S. Patriot Act, have been enacted to amend the BSA.

"In the aftermath of 9-11, money exchanges face greater scrutiny. Banking rules to prevent money laundering have been strengthened, particularly on the international stage. Communication between law enforcement and financial institutions has been expanded, and there are increased requirements for recordkeeping and reporting. The maximum penalty for counterfeiting foreign currency has been quadrupled. It is no exaggeration to say that our local money transmitters must operate under these elevated requirements if they wish to stay in business and out of trouble.

"I support SB3009 because it is precisely what the money services industry needs in order to help business with government compliance, maintain competition from abroad, and most importantly, to protect the consumer."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3009, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Bertram, Cabanilla and Sonson voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1659-08) recommending that S.B. No. 2850, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2850, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some reservations on this measure. This bill will statutorily establish the Department of Agriculture Biosecurity Program, and it also provides funding for the program and for the planning of an interim permanent joint inspection biosecurity facility.

"I'm concerned about the appropriation with the economic climate that we're in right now. The Department of Agriculture is already

filling in the gaps in invasive species prevention systems, making this measure duplicative of the existing program. The bill is ambitious, but I think just a little premature. This bill may not pass, but I just have to take what we're looking at today. We do have a well-equipped and recently built inspection facility in the Kahului Airport. It is expected to greatly improve the capability of the Department of Agriculture to unload containers in a secure environment for inspections, as well as provide on-site inspections. So those are just the reservations that I have. Thank you."

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This bill is part of the Joint House/Senate Majority Caucus Package, acknowledging the need to prevent and control the importation and spread of pests and would statutorily establish the Department of Agriculture's Biosecurity Program.

"Our State is in dire need of the legal ability and the workspaces to protect Hawai'i. SB 2850 would provide Department of Agriculture with the necessary tools to implement an effective biosecurity program by ensuring that it has the ability to conduct inspections on more than just incoming agricultural products. It would better ensure that the Department can accurately identify cargo that needs inspection and provide funds for the planning and building of a new joint Federal-State inspection and quarantine facility at the Honolulu International Airport. Any steps to protect and preserve our environment are prudent and this body should forge ahead in this effort by passing this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2850, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1662-08) recommending that S.B. No. 2779, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2779, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. Mr. Speaker this is one of three IFL-phobia bills that we will be debating today. For those that have forgotten, IFL-phobia is when we look up, we have an irrational fear of Lingle.

"This bill relates to limiting the Governor's powers to suspend prevailing wages when an emergency is declared. Having declared homelessness as an emergency has created again, another breakout of the IFL-phobia to the extent that some in this body said she may in the process of declaring every social and traffic situation in the State of Hawaii as an emergency, and thereby limiting the prevailing wages, as one of the reactions this bill addresses. The bill is conceived in false and deceptive premise. It's redundant because the Governor is already restricted in what she can do in terms of exempting prevailing wages when there is an emergency declared.

"Mr. Speaker, the formula for curing IFL-phobia is one, take a deep breath, count to seven, and then admit that the Fifth Floor knows what it's doing. Mr. Speaker, this bill is entirely unnecessary and it's entirely political. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2779, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," passed Third Reading by a vote of 42 ayes to 7 noes, with Representatives Bertram, Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1663-08) recommending that S.B. No. 2876, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2876, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm standing in opposition to this bill. This bill will appropriate $2 million from the Unemployment Trust Fund to the Hawaii Workforce Investment Board to improve employer outreach and services, labor force pool expansion, capacity building, and to fund some shared costs for the operations of the One-Stop Career Centers within Hawaii County. That's my problem with this is that it's just going to go to Hawaii County.

"This bill was introduced in the beginning of the Session. It's my understanding Mr. Speaker, that the Reed Act money is really to be used for times when you have a big spike in unemployment, which I believe we're looking at right now with the close of Molokai Ranch, Aloha Airlines and ATA. I think it's not appropriate to take this $2 million and take it to the Big Island. I think it should be used where the largest group of unemployed people need to be serviced. Thank you."

Representative Takamine rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takamine's written remarks are as follows:

"Mr. Speaker, I rise to stand in support of SB 2876 HD2. This bill would appropriate $2 million to increase workforce development opportunities by tapping into Reed Act money and stimulating job growth.

"To build the brightest economic future, we need to have the strongest workforce possible. This means the best educated and the best skilled workforce which will be qualified to secure higher paying jobs and promote new industry in the State.

"As Mayor Harry Kim explained in his testimony to the House Labor & Public Employment Committee during a hearing on March 11th, 'In 2006, this Legislature appropriated $10,000,000 (Act 190) for the four counties Workforce Investment Boards (WIBs). Of that amount $1,900,000 came to Hawai'i County. We believe that we have allotted the money to projects that the Legislature would be pleased with, including Going Home (our prison-to-community re-entry initiative); Huiana, an island-wide high school student leadership program; and an initiative to directly serve and strengthen our work places through business center and business service representatives.'

"Due to the Hawaii Workforce Investment Board's successful management of the 2006 Reed Act monies, these new programs are helping hundreds of people develop the skills needed to attain better jobs. HWIB has learned how to use this money efficiently and effectively. If SB 2876 is passed, HWIB will be able to tap into their experience and expand their programs to help even more people.

"Though this bill originally appropriated Reed Act monies to all of the counties, it was amended to focus on Hawaii only because the others counties were not ready to proceed quite yet.

"Therefore, I stand in support of SB 2876, HD2, because it will increase support for the business community and contribute to the Big Island's economic health."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2876, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

At 10:38 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2842, SD 2, HD 2
S.B. No. 2313, SD 1, HD 2
S.B. No. 2663, SD 2, HD 2
S.B. No. 3076, HD 1
S.B. No. 3009, SD 2, HD 2
S.B. No. 2850, SD 2, HD 2
S.B. No. 2779, HD 2
S.B. No. 2876, HD 2

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1666-08) recommending that S.B. No. 2293, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2293, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you. I'd just like to note my reservations on Stand. Com. Report No. 1666-08. My reservations are that there are a number of bills concerning affordable housing, Kaka'ako, in urban and rural development. And as these bills proceed forward, I hope that we look at how these bills are interacting with each other, including this bill, and make sure that we are in fact supporting the development of affordable housing. Thank you, Mr. Speaker."

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"Mr. Speaker, I am voting aye with reservations.

"The Chair of Housing has worked hard to find ways to stimulate the building of affordable housing, but the way this bill is structured may be a short-term solution with some unintended long term consequences. This bill would allow developers who meet certain criteria to be exempt from the Corporation's shared appreciation equity program; and notwithstanding sections 201H-47 and 201H-49, be subject to the transfer restrictions and occupancy requirements of sections 201H-47 and 201H-49, for three years instead of ten years.

"This is one of those instances where we should, 'be careful of what you ask for because you may not like the results'. I'm hoping that we are diligent in watching how these incentives will be used and if these developments will be affordable. I definitely do not want incentives to build housing that will not be affordable after three years."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2293, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1667-08) recommending that S.B. No. 2982, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2982, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in support of the measure with reservations, stating:

"I just want to note my support with reservations on this bill. This bill started off as allowing the resale of reserved housing units by the Hawaii Community Development Authority and it was supported by many people in the affordable housing community.

"Before I move on I do want to declare a possible conflict. In my work with homeless veterans, we do deal with another side of the company that deals with affordable housing," and the Chair ruled, "no conflict."

Representative Pine continued, stating:

"It was amended in Finance to basically say that they can resell the units, but it has to remain affordable in perpetuity. At first glance, I was very supportive of that because I do believe there is a problem that we create affordable housing units and then it just allows someone else to resell it for a higher profit in the future, and then we don't have enough affordable housing units left. However, just in talking to the different people in the affordable housing and homeless community, there is a problem in binding the hands of future Legislatures and the HCDA. For example there has been a lot of concern with some of the nicer affordable housing units that are in some of the nicer buildings in Kaka'ako, the newer ones like Hokua and people do not want to sell that back to HCDA, and then have them sell for a higher price. And that sounds very reasonable.

"However in this tough economic time that's starting, and it will be even worse to come if certain forecasts hold true, it really would tie the hands of HCDA from, for example, selling that housing unit in Hokua at a higher price, at such a price that they would be able to from that one unit create 10 affordable housing units where more families could benefit. So I can see how that would really prevent us from helping future Legislatures and the HCDA from helping more people. So that's just my concern, and I guess we can discuss this as this bill moves forward."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do have reservations and would like to have short comments. Along the previous speaker's line of reasoning is that this bill would stifle our ability I believe, in the ability of the Legislature and the Governor and private industry to work together to come up with creative solutions to the affordable housing problem.

"A perfect example in which this House participated in is the collaborative effort with the Kukui Gardens, and I think I've mentioned this before, but it was really 'out of the box' thinking. And to have language like, 'in perpetuity' automatically doesn't set in onto a course of learning what you could do. It basically says that this unit has to remain in affordable. And that's where we create I think, our own boundaries and our own disincentives to creating these types of affordable opportunities.

"So as we do move forward, I would like for this body to take a look at that. And also know that there are already enough protections in place that HCDA has to follow, like the buy-back provision and shared appreciation. And noting that, looking back on our previous bill, which is Stand. Com. Report No. 1666-08, and following and being in line with one message as to how we want to deal with affordable housing, it seems like it's saying one thing in one bill, and another thing in another bill. Thank you."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Mr. Speaker, I guess I would just respond to the previous remarks by pointing out that right now in Kaka'ako, it's a huge struggle that we're going to talk about I'm sure in a bill that's coming up later. The current requirement of 20 percent of affordable units has fallen far, far short from the original plan that Kaka'ako was supposed to produce thousands of affordable units. We have just a fraction of that right now.

"Mr. Speaker, I was just really disheartened to learn that under the way that the reserved housing units work now, truly it's really an affordable unit only for the first buyer. The first buyer gets a great deal and then after waiting out I think it's about a two year buy-back period, they can make a windfall on this unit and that's why now no one can afford to live in Kaka'ako. This bill is going to come up later where the landowners in Kaka'ako are fighting tooth and nail on a requirement that's going to increase their affordable housing requirement by only 5 percent. I was really happy that we passed that bill out because others that are in the affordable housing market say it's totally possible. You can still make a profit. You can still do very well with an increase in affordable housing requirement.

"Mr. Speaker, another thing that we need to point out to this body is to use the example of Kukui Gardens and HCDA, those are two very different animals. Kukui Gardens was a private project that was run by a private company, and the State is now looking to jump in and try to help these poor seniors that are going to look at being displaced and not be able to afford to live there anymore.

"On the other hand, if you're talking about Kaka'ako, Kapolei and other places under the HCDA jurisdiction, our State taxpayers have contributed and paid a lot into those projects. The infrastructure cost millions to put in, to run the HCDA office and all of its staff, our taxpayers are paying money for this too. And I think that to require that these units remain affordable in perpetuity is something we owe to the taxpayers. I think to leave it to the private market and to say, if we just let them do what they want and have a temporary buy-back provision we're going to be taking care of it. It's not happening now. So without us taking a strong stand to protect our taxpayer investment, it is not going to happen. Thank you."

Representative Pine rose to respond, stating:

"I just want to clarify my thoughts. I think it is very right that we should say that we should have a certain percentage of affordable housing units in a certain area. I think that is the intent of the law. However as a suggestion, as this bill moves along, is to give HCDA the buy back so that that first buyer, for whatever reason has to leave that unit, say their income increased dramatically and they are no longer qualified for that affordable housing unit, the suggestion I would make is allow HCDA to have the first right of refusal to get another person into that affordable housing that met the original requirements of the first buyer. This just allows flexibility, and if for some reason we're in an economic bind where we can no longer put money into the Rental Housing Trust Fund the way that we'd like to because conveyance taxes are low, perhaps this would give the HCDA an option to look at possibly, selling this unit for another to create more units maybe down the street in Kaka'ako somewhere. Just flexibility is all they need. Thanks."

Representative Finnegan rose to respond, stating:

"Thank you, Mr. Speaker. I am still with reservations. I don't get it. It's still not happening with the, quote-unquote incentives that are taking place currently. As I mentioned earlier, the incentives to these developers, are actually disincentives. They're having difficulty meeting the 20 percent. So in turn what we do is we create a higher goal of 25 percent. If they're not coming forward on the 20 percent, what makes us think just because we're going to say it that people are going to come into 25 percent affordability units. That's what puzzles me.

"It puzzles me that these developers are already saying it's already difficult as it is, and if we want these developers to come in with investments it's not going to happen if we make it even tougher to pencil out these developments. So you have some issues in regard to buy back or shared appreciation, then tinker with that. But putting it in perpetuity is a very long time. It gives no ability for creativity. And I do have to disagree that if we can do something like Kukui Gardens and be flexible in our thinking and creative in our solutions, then we can do the same with apartments or units that we do invest directly in with our State taxpayer. In fact, I would make the argument that even more so we should be doing that with our own taxpayer dollars. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. It's a complicated issue, so some of these arguments get convoluted sometimes, but I think the reason that the Human Services & Housing Committee, the reason that we supported this was that because raising the reserve from 20 to 25 percent still allows the developer to make money, and it also gives the developer an excuse to go back to their shareholders or their trust beneficiaries and say that the government has stepped in and says this is the most money we can make in this situation, but it doesn't eliminate profits.

"In fact, on an affordable housing project, a private developer can still make money. It's just that they're never going to be able to make as much money as they can producing luxury homes. And of course, the problem we have in Hawaii is that we compete on an international market for luxury homes. And so our citizens who make the average median, government income in Honolulu county is about $70,000. Well, we're competing with people who come in and buy a $1.2 million house and it's a second home, and they think nothing of it. So the private sector has to step up in the situations where they can still make money, but they have to understand too that we're never going to be able to compete with millionaires from around the world, and we need something other than luxury housing. Thank you, very much."

Representative Shimabukuro rose to respond, stating:

"Mr. Speaker, in support again. Just to respond that the argument that having a perpetuity requirement would have eliminated this great opportunity we had in Kukui Gardens to me is a completely backwards way of looking at it. If Kukui Gardens had been affordable in perpetuity we wouldn't have had to bail it out. We would be $50 million richer in GO bonds that we could have spent on other projects.

"To me, I think Kukui Gardens is the perfect example of why we need perpetuity. If we hadn't come to the rescue for all these seniors, they could have been homeless. It cost us a ton of money, the community group FACE had to go through an extremely stressful time. There were lawsuits filed. The Legal Aid Society had to get involved, all because we don't have perpetuity. And this is what I'm talking about. If we don't require perpetuity, Carmel Partners is going to come in and offer a higher price and evict all these people and they'll be on the streets, or they'll be in Waianae on the beach.

"The argument that these developers with the disincentives, I wish that these people opposing the measure had been at the hearing on Kaka'ako. There was developer after developer actually that stood there urging us to increase these affordable housing requirements. Marshall Hung was there, Ken Matsuura, Central Pacific Bank, Momi Cazimero, all of them came and urged us to increase it because they said that the argument that affordable housing eliminates profit is totally untrue. As my Vice Chair aptly pointed out, yes, you are not going to make millions, the $350 million profit that you would have if you're all luxury homes. But you can still

make quite a big profit even when you do affordable housing. Thank you."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"I'm just voting with reservations. I'm concerned about the provision that would make it three years instead of ten years on line 14, which does erode our market of affordable housing out there. I think it's going the wrong way. The 201H process is a way for developers to expedite building and that's how they can save money because time is money. The financing need is money. They can make a lot of money if we lessen the time for them to build these projects.

"The 201H process is great, it's made it possible for developers in Waipahu to circumvent land use laws and City & County permitting laws so that they can bring more affordable housing to the community. But by this measure when you exempt them from the ten year requirement and go to three years, it's going the wrong way. We should actually increase it to 15 years and find other ways to speed up the process so that the developer can make money at the outset when they're doing this, and at the same time we keep more affordable housing affordable for the people of Hawaii. Thank you."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 2982, H.D. 2 which allows the Hawaii Community Development Authority to sell reserved housing units in fee simple. I am concerned with using the term “perpetuity” in conjunction with reserved housing units. Affordable housing remains a top concern of mine as we address cost of living issues for our constituents. Requiring the units to remain affordable in perpetuity constrains creative thinking when faced with affordable housing issues. We all know that change is inevitable; and as change occurs we need to remain flexible when coming up with effective solutions.

"Hawaii Administrative Rules, Title 15, Subtitle 4, Chapter 22, Subchapter 4 specifically addresses reserved housing requirements and alternatives. These alternatives include making cash payments in lieu of providing such reserved housing units. Subchapter 7 governs the sale, rental or development of reserved housing units. These rules were established by the Hawaii Community Development Authority to govern all developments and use of properties within specific areas. Controls based on the purpose and intent of chapter 206E, Hawaii Revised Statutes, have been established to protect affordable housing units.

"In rebuttal and for clarification of the Chair of Housing’s point about the two-year buy back restriction for affordable housing units being too short. The two year buyback restriction is based upon income levels agreed upon when purchasing a unit and is the minimum HCDA can do. However, the buyback restrictions range from two to ten years and I can only remember one occasion where the two-year buyback took place.

"The bottom line is that locking affordable units in perpetuity takes away any flexibility we might have when making decisions that might affect bigger housing issues. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2982, HD 2, entitled: "A BILL FOR AN ACT AUTHORIZING THE RESALE OF RESERVED HOUSING UNITS BY THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representatives Herkes and Waters, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1668-08) recommending that S.B. No. 2896, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committees be adopted, and that S.B. No. 2896, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm standing in support with strong reservations for S.B. 2896, SD 2, HD 2. I do appreciate the intent of this bill that deals with unlicensed contractors, but my strong reservation is with the cease and desist orders up front. I do know that I have constituents who are posing out there to be licensed contractors when they are not, and I think we should have a means to stop them and penalize them.

"But my concerns are that those customers, their clients, those homeowners that are taken by them and have paid advance money for their work. Now this is going to stop the process until they get their license. And we all know how long it takes to get a license. And probably they'll never be able to get a license because that's why they're posing as licensed contractors when they're not. So my reservations are that we should have a way to protect them or have them finish their work until we issue the cease and desist orders.

"And furthermore there are people out there too that would take an unlicensed contractor because of the promise of a cheaper cost, which I think that that's their choice. There still are people who do that. So we need to I think, work on this bill for consumer protection. Thank you, Mr. Speaker."

At 10:56 o'clock a.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 10:56 o'clock a.m.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"On Stand. Com. No. 1668, I would also vote with reservations. I agree with the previous speaker in that this will unduly harm the owner or whoever is doing the renovations or construction. In addition, I feel that the penalties are quite harsh in this measure. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Mr. Speaker, in very strong support. This issue here is regarding unlicensed contractors doing the work. There are a lot of unlicensed contractors doing the work out there, or else this bill wouldn't be here. And as a policy I think, and as a body we should make sure that there is an even playing field out there and also law abiding contractors out there. We license them for a reason. It's for the safety of the consumers. We already have a law that says you have to be licensed, however it's not enforced.

"The purpose of this particular measure going forward today Members is to strengthen it to ensure that the Department, when they catch these unlicensed contractors doing these licensed activities, that they should be issued a citation right away, and issue cease and desist orders so that they cannot continue. The reason for that of course is because we have to assume that to be licensed, you have to be qualified. And if you don’t have a license there must be a reason you

are not qualified. If it's because you can comply with the law that's one thing. If you are not qualified, and you don't have those skills, that's another thing. We have to protect the consumers or those are benefiting from the work of contractors.

"So as a body I think, we can all agree that we value licensed work because we can trust it and depend on it. We can make sure that they deliver what they are supposed to be delivering as a product. This measure has a cease and desist order because what has happened is there are people who know that they are supposed to be licensed, however they do it anyway because they will not get caught, or because it takes a long time to enforce the law if they are caught. And if you don't have a cease and desist order right away, they can finish the job. They can finish their job and still make a profit.

"Now there is no penalty provision here because we're trying to negotiate that and it will go to Conference. But the reason why there should be a large money penalty is because it is better to have something that will deter unlicensed people to even try to obtain a job to begin with, knowing that if they do obtain the job, knowing that they don't have a license and therefore they're not qualified to do it. They are faced with a large fine. Right now there's no large fines so to speak. The current law is ineffective because there is no such thing as contracts with them. It calls for 40 percent of the contract as the penalty, but since unlicensed contractors do not go into contracts, the $500 a day that is currently in law is insufficient.

"The proponent of this measure deals with this issue everyday out there. The proponent of this measure I can tell you, I'm not going to mention his name, but he deals with steel. What he's saying is that we have contractors who are law-abiding, and we have these unlicensed contractors who are not dealing fair. Maybe because there is nothing to deter them, they can keep doing it over and over. Therefore put a $10,000 a day fine so it will it deter them so if they get caught, when they get caught, they will face this. And hopefully the next person will think twice before they try to obtain a job without having a license. Thank you for your indulgence."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, rising in support with pretty strong reservations. There are a lot of licensed contractors. Well, not a lot. I can't quantify the number. But say a small contractor who does large job and doesn't get paid. He puts a lien on that particular job. Every year when the contractors renew their license, they have to get a tax clearance, and if they owe any money to the State of Hawaii, they can't get a tax clearance and they are essentially out of business which is a pretty tough thing to take.

"There are some contractors and subcontractors who have been in financial jams and can't get their license renewed. That doesn't mean they're unqualified, that they don't know what they're doing. They've been licensed in the State of Hawaii, but they are unable to renew their licenses because they owe taxes to the State of Hawaii. I am not for people being unlicensed, but this bill with the kind of fines that were in there at one point. There is one proponent who thinks $10,000 let's slap them down, I don't think we should all be listening to that one person. We need to have some thought about what is equitable and not just punish them. So those are my concerns and I hope that what we do pass in the end will be something more reasonable. Thank you."

Representative Awana rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support. This measure helps to ensure the safety and welfare of construction workers. Recent incidents at a Downtown Honolulu site enforces the fact that this bill is not only needed, it discourages unscrupulous activities from taking place in which State and federal laws are broken. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On the same measure, with strong reservations. Some of the most vehement opposition to unlicensed contractors comes from licensed contractors. As I look at what happened in Committee and I look at the opponents on this measure, you have the Subcontractors Association of Hawaii, BIA Hawaii, RSI, and General Contractors Association of Hawaii. I would guess especially for BIA, in which I've had some opportunity to talk to on past measures, and General Contractors Association of Hawaii, that they would be in full support of something that would hurt or have consequences on unlicensed contractors.

"My concern on this is the unintended consequences. Say, if a subcontractor does not renew or lets their license lapse, that that would have the unintended consequence of cease and desist on the contractor. I would also think that these heavy fines, what the fears are of these different organizations is that these fines are really heavy, the previous bill where it stated the $10,000 are really heavy. They're more fearful of something like that than they are of the unlicensed contractors. So as we move forward on this particular bill Mr. Speaker, maybe we can think of something else that would get to the problem of the unlicensed contractor. Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2896, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTORS," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1673-08) recommending that S.B. No. 2245, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2245, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Awana rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations on Stand. Com. Rep. No. 1673-08, Senate Bill 2245, SD1, HD 2. This bill is needed in light of an incident that took place where vehicles were stolen and an unattended child or infant was strapped into their seat. I have some concerns regarding the five minutes or longer stipulation as it takes less than five minutes for a vehicle to be stolen, in which case the child's welfare would still be in jeopardy. That is the whole reason behind this bill. But under this measure would not be a violation. Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of Stand. Com. Rep. No. 1673. Children are often victims of non-traffic, non-crash incidents as parents and caregivers sometimes may forget the risk presented by leaving children unattended in their cars. The temperature is 80 degrees which is quite common in Hawaii. The temperature inside a car receiving direct sunlight can reach 110 degrees in five minutes. When a child's body reaches 106 degrees, he or she can die or suffer permanent disability from heat stroke. Compelling was the testimony from Mrs. Deona Ryan who provided in relevant part: I am testifying for one child that died in Hawaii. In 2004, my daughter Aslyn Ryan, our little girl Aslyn, died February 7, 2004 from hypothermia from prolonged exposure to extreme

environmental conditions in our car. I ask that you help honor the child, the children, who have died, by promoting prevention.

"The second concern I have is that young children under the age of 9 left unattended in a vehicle may be at great risk for injury as he or she may touch the vehicle controls which may also pose a great risk to others.

"Senate Bill 2245 follows the same philosophy as giving a ticket to someone who does not wear his or her seatbelt. People understand or may understand the inherent dangers, but sometimes it takes legislation to change such dangerous behavior. For these reasons, I humbly ask all Members to support this measure. Thank you, Mr. Speaker."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. This is the seventh time I have introduced a bill on this subject. Unfortunately, many still do not understand or acknowledge that leaving a child unattended in a car can have tragic consequences: heat stroke/death, strangulation in a car window, injury from setting a car in motion, or abduction by a stranger.

"In 2007, media reports show that more than 35 children were known to have died across the nation from injuries sustained by being left alone in a car. These numbers do not include those who were left in a hot car and saved just in time, or those who have suffered but have not died as a result of being left in cars. Far too many children have lost their lives or suffered when it is completely preventable.

"This bill will help protect innocent lives by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child under the age of nine inside for more than five minutes, and makes such conduct a violation of the statewide traffic code.

"This prohibition provides one more tool with which law enforcement, firefighters, or rescue team personnel may take concrete action in protecting Hawaii's children by allowing personnel to use whatever means necessary to protect and remove endangered, unattended children from the vehicles.

"Law enforcement, firefighters, or rescue team personnel will be required to immediately report this violation to the police if the guardian of the unattended child cannot be located within a reasonable time.

"In addition, there is an educational component, which requires the examiner of drivers to test license applicants for knowledge of this offense. And the requirements and penalties of leaving a child unattended in a motor vehicle shall be printed on a card, which shall be placed in the glove compartment of every rental motor vehicle offered to the public.

"I urge my colleagues to support this bill."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 2245, S.D. 1, H.D. 2 which makes it a violation of the statewide traffic code to leave a child unattended in a motor vehicle. The bill does not delineate between infant/toddler and child. I would be more supportive if the bill was more specific in regards to the targeted age. You would be in violation if you left your eight year old and an eleven year old together in the car doing homework. There are many parents out there who think that this situation is no different than having these children walk to or from school or allowing these pre-teens to walk around in a store unattended. I believe an educational campaign would be just as effective in reducing risk of injury or death. I will support this bill but feel the infant/toddler is different than an older eight year old child. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this bill.

"Mr. Speaker, this measure makes it a violation of the statewide traffic code to leave a child unattended in a motor vehicle. The problem with this bill is with enforcing it. The bill does not take into account circumstances where someone might leave a child in the car. For example, a mother might leave her sick eight-year old in the car to run into the pharmacy to get the child's medicine.

"The Honolulu Police Department testified that there are other laws that could be applied if a person leaves a child in a car with the intent to harm. I think this bill would put police in an unenviable position having to decide if the child left in the car is at risk, when they do not know how long the child has been there, and for what reason the parent is absent. Currently, the HPD will come to the assistance of a child left in a car if there is a complaint. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2245, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1675-08) recommending that S.B. No. 6, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 6, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 6, H.D. 2 which prohibits the selling or offering for sale of opihi. Prohibiting the sale of opihi is an extreme measure in an effort to conserve a resource that has shown no sign of shortage. The Department of Land and Natural Resources has testified with concerns that a ban would create an underground or illegal market for opihi. I would prefer to see management programs that propose area closures or seasonal restrictions. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 6, HD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Marumoto voting no, and Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1678-08) recommending that S.B. No. 2170, SD 1, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2170, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1680-08) recommending that S.B. No. 2263, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2263, SD 2, 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, I have reservations on Stand. Com. Rep. No. 1680. Thank you. For the University of Hawaii, we want to make sure we attract the best and brightest to the highest administrative levels. This legislation goes against this idea by requiring the University to disclose proposed compensation or changes in compensation for executive managerial positions filled by excluded employees. They must be disclosed in an open meeting of the Board of Regents for public comment.

"First of all, let's get rid of the phrase, 'newly hired' in this measure. I believe it's meaningless. This bill refers to proposed compensation so it pertains to people who have not yet been hired. The University in its testimony strongly opposed disclosure of salaries before actual hiring on the grounds of privacy. This measure would make it more difficult for the University to hire desirable employees. Potentially interested individuals would not want to apply in fear that it might endanger their present employment. Many prospective employees request that their application be handled confidentially until an offer is made and accepted. This is because when you apply for job you may not want your current employer to know, and so your present job might be jeopardized. The treatment of excluded executive employees under this bill invades their privacy and violates their right to equal protection.

"Under University polices and procedures, applicants for most positions can ask for and receive confidentially in the hiring process until an employment decision is made. In addition, proposed changes in excluded executive employees' compensation and the reasons for such changes are also confidential until a final decision is made. Since changes in current employees' compensation are generally performance based, pre-decisional confidentiality protects employees' privacy and the University's interest in providing candid feedback without subjecting prospective employees to possible public embarrassment.

"For those concerned about compensation and public notification, existing law already creates a careful and appropriate balance between the public's right to know and agencies' need to keep certain matters confidential. This balance is incorporated into Hawaii's Uniform Information Practices Act, HRS Chapter 92F, which includes an exception from the general rule of public disclosure in order to protect pre-decisional materials created during an agency's deliberative process. Once a compensation decision is made, executive employee's compensation of course is public information under current law and the University makes salary information available to the public as required. So let's stick to what works. Mahalo, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker this body should be commended in that it is very receptive and reactive to things that occur in the environment and we are quick to respond to them. This bill was a reaction to June Jones, once people realized what his salary was, they said this is too much. It's something we've got to open up everything to. And what we're doing is throwing the baby out with the bath as my previous colleague noted.

"My point is we have to be deliberative while we are at the same time reactive and responsive. I think this bill is going too far and too much because there's three hundred plus people who make more money than the Governor right now. And if we want to keep the best and brightest here, we can't have them publically exposed. Imagine one of us going for an interview and we don't want our constituents to know because we're going to resign our seat. Can you imagine the disclosure and the downside of which because of June Jones we're overreacting. I think we're going to put things out of kilter.

"The Constitution says we have given autonomy to the University of Hawaii, they are operationally and fiduciarily responsible for what they do. We're taking that back with measures such as this, saying that you guys have to tell us every dollar and cent that you offer somebody. Isn't that a little bit over-reactive? Isn't this policy something that we need to contemplate and seriously change before it gets out of this House in a matter of weeks? Thank you, Mr. Speaker."

Representative Chang rose to speak in support of the measure, stating:

"In support. First, this bill provides the public the opportunity to comment on the compensation being offered to or paid to top University of Hawaii executives. Up to 1985, the salary of the UH President was set by statute, but then the Legislature delegated this decision making authority to the Board of Regents. Since then, the top UH executives covered by this bill are more numerous than ever before and they are being paid more than ever before.

"Hawaii taxpayers and students are now paying the highest tuition rate increase in UH's 100 year old history and they deserve the right to know and to comment on the amount of monies promised to top administrators before the Board of Regents makes its final decision.

"This bill is also forward looking. Within a year, the Board of Regents will be searching for a new UH President. David McClain was appointed President in March 2006 on a three-year contract. Hawaii's Sunshine Law does provide that a Board may hold a closed door meeting to consider the hiring of an official where consideration of matters affecting privacy will be involved. However erroneously, the Board of Regents has stretched the privacy rationale for a closed door meeting to cover the amount of public funds being promised to compensate prospective hires and current executives. Secrecy surrounding the Board of Regents' decision making creates suspicion, undermines public trust, and historically has provided much negative publicity and embarrassment to the University and the State. Thank you very much."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. In strong support and may I adopt the words of the previous speaker as if they were my own? In addition I'd like to also state that the number is actually 473 individuals in the UH System that make a lot more than the Governor. I think we cannot stress enough the concerns of the students and the faculty that don't make as much money for one, and the concerns of our parents who have to pay for their children's tuition. We have a right to know. And I don't think this is too much as one of the prior speakers said, that it is way too much to ask. This is taxpayers' dollars, nothing is too much to ask. But there are some limits maybe, I haven't seen one yet, but this particular bill is certainly not too much.

"First, the process that exists today allows for a public meeting anyway. What this bill does is just gives another six days. Just six days before the actual disclosure so it will give the public a meaningful time to take a look at what's going to be proposed at the meeting so that they can respond. It is really hard, really difficult to respond to arguments when we are right there. We don't remember when we go to Committee and all of a sudden you face a stack of papers that are the testimonies that you are going hear. Some people may not have come to testify so you are responsible for this. It's really difficult for us to do our job, and I think that's why the Members of the other side of the aisle are always saying, 'Can we have the testimonies in advance?' Well I know why. You want to always be prepared.

"So what the proponents of this measure want is to be prepared in order to make sure that they can ask the proper questions, so that they can represent their constituency in the best way they can. There is nothing wrong with providing information in advance. It doesn't violate the Sunshine Law. It does not impact the negotiations behind closed doors. That's still allowed. What it only does is give that small window of time. Six days. I don't think that's too much. Thank you, Mr. Speaker."

Representative Ward rose to respond, stating:

"Second time, with some reservations, Mr. Speaker. I think it's a clear hypothesis and proven that education is a driver of our economy. We want to seek excellence at the University of Hawaii, throughout the State System, throughout the Community Colleges. If we look at the faculty wages, we are not out of sync with the United States. The only difficulty is we have a cost of living 40 percent higher than the United States, yet we pay the same wages. None of the wages that we have in large numbers more than the Governor are out of line with what otherwise as a nation we actually pay.

"The difficulty is when you try to get a professor here who has to buy a house from $600,000, to $800,000, to $1 million, they think twice. If the salary is going to be the same that they're making back, in fact you can ask our good doctor from the Big Island, why are doctors not coming here? The wages are comparable, even though I believe you would submit that they are lower, but they have to have a cost of living and the school system, etc. are the bigger variables.

"The point is if we want education as a driver of our economy, if we want to have the best and the brightest, and as we honored on the Floor here for a hundred years of excellence at the University of Hawaii, if we want to proud of these people we have to pay them. If we're going to pay them we want to be able to have a procedure that gives autonomy to the Board of Regents to attract them to stay here. This in the guise of disclosure. Yes, it's great. It sounds like we're beating the drums of democracy and openness. But in the effect of it, if it goes contrary to us, we still start putting the University on a downhill path. Mr. Speaker, nobody wants that.

"We want to get into science, technology, engineering and math. We want to be better. We want to turn our tourism economy into a mind and an intellectual based economy where we've got proprietary discoveries in science and biology and all the other things. So we're going to get the people here to teach our kids, we've got to be able to attract them here, this is one of the methodology we've used; it's one of the things that we're going to take away if this continues in it's present run. Thank you."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker I rise in support of this measure. I'd like to the words of the chair of the Higher Education Committee adopted as if they were my own. First, I'd like to clarify something said by the Representative from East Honolulu. He said that we gave the University constitutional autonomy and that is not true. The voters of the State, I believe it was the year 2000, voted for a constitutional amendment for the University, but all that amendment did was it gave the University what I call, constitutional flexibility. The University of Hawaii is not autonomous in the State of Hawaii. In fact we should all know that because there are so many bills coming through our House. There are so many requests for funding items. We still play a vital role as to how much general funds they get. We dictate to some extent, how they use their special and revolving funds. They do not have constitutional autonomy.

"But this bill is not about constitutional autonomy. This bill is about providing the public, and in this case the University faculty, students, University community, and also the general public with the opportunity to know how much someone is going to get paid if they're going to work at the University and to be able to comment on that. That's akin to a few years ago the other side of the aisle requesting information about our budget. They wanted to know how much this was going to cost. And today we have a very open budget process with details that are available to not only our Members, but also to the public. If we can do it in this House and the Senate can do it in that house, I think the UH Board of Regents can do it as well for any potential hire. And to give the public an opportunity, six days, to know how much the new President is making, or how much the new Vice President is making, or how much the new Chancellor is making, to me, is totally appropriate.

"The other thing that this bill does is it requires the Board of Regents once again to disclose the budget documents as they discuss them. Last year you may know, I believe it was in August, the UH Board of Regents went about its process to approve the budget that was sent not only to us, but also to the Governor. At that meeting the discussion was cryptic and without any information shared to the public. And I think the University of Hawaii Professional Assembly representing the faculty objected to that process, and they changed, the UH Board of Regents and the UH Administration changed their process because they were made aware that that type of procedure should not have occurred. This bill makes sure that once and for all, the budget decisions that are being addressed by the Board of Regents on the University's biennial and supplemental budget will be available to the public when they're discussing it. These two things are fair. I think these two things are items that we all have requested over our tenure as legislators in our own process, and we do do it.

"So I think whoever is concerned about this particular measure should read it and put yourself in the position of the public, the UH faculty, the UH community out there who I believe, have a much bigger stake in the success of our University than we do here at the Capitol. Thank you, Mr. Speaker."

Representative Marumoto rose to respond, stating:

"Thank you. Just to respond to the previous speaker. Yes, it is true we did not give the University of Hawaii total autonomy, but we did give them autonomy in their internal affairs and how they run the UH System. When it comes to hiring, hiring is definitely an internal matter, so I would still maintain that this bill is flawed in terms having to disclose, forcing them to disclose salary before people are hired. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand with reservations. My concern is with the policy or the precedence that we are creating, I believe that there are maybe even legislative and civil service jobs throughout the State that pay more than the Governor, and we are going to have public hearings to have people comment on those jobs?

"I don't think that we make those jobs public and what people get paid. So if we're going to have some kind of policy like that, be open to the questions that may open up more transparency I guess with all jobs that pertain to the public. Thank you."

Representative Ward rose, stating:

"Just a brief rebuttal."

The Chair addressed Representative Ward, stating:

"No. Representative Ward, you've spoken twice already on this measure."

Representative Ward: "So a rebuttal is not considered. As the Constitution says we give them autonomy I was just going to say …"

Representative Takai rose to a point of order, stating:

"Mr. Speaker, the speaker is out of order."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

At 11:25 o'clock a.m., Representative Say requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:25 o'clock a.m.

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. I just wanted to make a comment in regard to the former speaker from Hawaii Kai being ruled out of order. I believe that speaking on the third time has been done before. We've done it in the past and that it was up to the Speaker to determine. So I just wanted a clarification on that issue."

The Chair responded, stating:

"I think we've had a lot of discussion on this issue."

Representative B. Oshiro rose to a point of order, stating:

"Point of order. I believe, no, we've never done that actually. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2263, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

At 11:26 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2293, SD 1, HD 1
S.B. No. 2982, HD 2
S.B. No. 2896, SD 2, HD 2
S.B. No. 2245, SD 1, HD 2
S.B. No. 6, HD 2
S.B. No. 2170, SD 1, HD 1
S.B. No. 2263, SD 2, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1683-08) recommending that S.B. No. 3008, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3008, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1684-08) recommending that S.B. No. 3252, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3252, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Standing Committee Report, 1684 I stand with reservations. This bill, relating to teachers, contains a number of initiatives and appropriations that are in place in order to attract and retain teachers here in Hawaii. And although these initiatives and appropriations are very good, we may not have enough money to fund all of them. And more importantly it only takes small steps toward addressing the teacher shortage.

"Mr. Speaker, I would submit that there are day-to-day practices that would make the profession of teaching much more attractive and we need to look at some of those day-to-day situations, the added bureaucracy, and what we put teachers through, and whether they're satisfied and happy in their job. I think that that's a big part of it. My thoughts are that what if people are constantly taking jobs in the private schools that pay less, but maybe we should look at what they're doing to make the teachers more satisfied.

"In addition one of the biggest battles to teacher recruitment continues to be more recognition of out-of-state teacher licenses, and I think we need to take a look at that. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"On that same measure, I'm rising in support, but with strong reservations. I would like to have the words of the previous speaker inserted into the Journal as if they were my own, and also add additional remarks. Thank you."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this measure.

"Mr. Speaker, I understand we have a teacher shortage in Hawaii and we should make a concerted effort to encourage young people to become teachers. But what this bill does is appropriates a lot of general funds. Money for new programs such as housing assistance, teacher training, pilot programs, and even more money per pupil for special coaches, for robotics, speech, and debate. It looks like a very expensive wish list.

"Mr. Speaker, I believe the biggest barrier to hiring more teachers is the DOE's policy of not accepting teachers' credentials from out of state. Why should a trained teacher have to take classes here to be accredited in Hawaii when they have been teaching for years in the public schools in other states?"

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of S.B. 3252, S.D. 2, H.D. 2 which addresses the teacher shortage in the State through various initiatives. This bill appropriates unspecified amounts of money into various programs. The Department of Education testified that it supports the bill but feels the Board of Education's Supplemental Budget Request is more important.

"I would also like to point out that not all solutions have to involve money. I've seen teachers who don't feel supported leave the Hawaii Public School System in favor of jobs that pay less. Some flock to private schools and some take on whole new careers.

"In our current economic state where money is so constrained lets take steps to address the non-fiscal issues. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3252, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1687-08) recommending that S.B. No. 2196, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2196, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, I'm rising in opposition to this measure. DLNR currently issues commercial use permits for the State small boat harbors, launch ramps and related facilities, as well as requiring all equipment used for commercial purposes on State waters to be registered with DLNR. By requiring DLNR to regulate commercial activities originating in public and private property would be very burdensome, and difficult for the Department. They don't really have the staff to handle that at this point in time. For those reasons, I'm voting no."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2196, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1688-08) recommending that S.B. No. 2644, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2644, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Stand. Com. No. 1688, in regard to the State historic preservation officer and its qualifications. Mr. Speaker I'll be voting no in regard to this measure and it's mainly because this is a very difficult position to fill, and it's strapped with a lot of difficult issues. And to make the qualifications, to lay out qualifications I think, doesn't give the flexibility to the Administration to be able to fill that position in whatever way that they need to.

"I also believe that we are connected and accountable to the federal government on this matter as well. I have some additional written remarks, but those are my main concerns."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 2644, S.D. 1, H.D. 1 which specifies the required qualifications for a State historic preservation officer and deputy historic preservation officer and adds requirement that notice of the appointment of a State historic preservation officer be given to the legislature.

"I believe this crosses the bounds of separation of powers between legislature and government. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"This bill requires that any person who is appointed by the Governor as the Historic Preservation Officer (SHPO) must meet the required standards established by the United States Secretary of the Interior. Mr. Speaker this bill is unnecessary. The current practice of having the Chairperson of DLNR and the administrator serve as the Deputy SHPO meets the required federal guidelines.

"The current organizational setup of the State Historic Preservation Division (SHPD) has the Chairperson of the Department of Land and Natural Resources serving as the SHPO while the State Historic Preservation Division Administrator serves as the Deputy SHPO. Having the Chairperson serve as the SHPO allows for the oversight over the State Historic Preservation Division and staff's work with federal entities. Because this bill is unnecessary, I urge my colleagues to vote 'no' on this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2644, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Finnegan, Meyer and Pine voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1689-08) recommending that S.B. No. 3206, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3206, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAWAI NUI MARSH," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1691-08) recommending that S.B. No. 3215, SD 3, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3215, SD 3, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against Senate Bill 3215, Relating to Biodiesel. I can do this rather briefly and I'm going to quote from Tax Foundation of Hawaii's testimony, and I quote:

> As we are all learning the efficacy of using biomass fuels has now been brought into question where some studies show that the road to the production and use of biomass could produce far more greenhouse gases than biomass purportedly saves. Granting tax breaks to technologies that have yet to be proven to be beneficial is like handing out good grades for homework poorly done.

"I've cautioned before in this House that we should be very careful about jumping on the bandwagon for biofuels. Right now we're

seeing some deforestation that is now accounting internationally for 20 percent of greenhouse gases. The deforestation is, of course, because of the biodiesel crops and we are doing severe damage in many rainforest areas.

"I think this bill is probably very well meant, and very well intended, but I also think that people need to look at the broader impact, the negative impact from granting this preference for biodiesel crops.

"And the other comment that I would have is that we need to treat food production really on a higher plane because we need to have food for our local people here, and in the event that we take the wrong steps and we can't rely upon imports from other areas, we have to be sure that we have protected our own food source locally for our people. Thank you."

Representative Evans rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. It's a good thing our technology is moving us away from dependence on oil. But, my reservations come from wanting our society to understand more on the costs to produce biodiesel, the costs to the consumer, and a better understanding of potential impacts on our natural environment."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition on this measure.

"Mr. Speaker, this bill requires the Department of Agriculture's Energy Feedstock Program to support market development for biodiesel feedstock. If this bill passes, the Department of Agriculture will need to request significant funding, CIP funds to build storage facilities, funding to purchase crops, and funds for new personnel with expertise in fuel trading and processing.

"This bill's tax exemption is vague and unclear. Does it apply to 100% of income derived from the processing of oil seed produced in the State, or to 100% of all income from any facility that processes any amount of oil seed produced in the State? One cannot tell. Rather than singling out a particular area for tax relief, efforts should be made to improve Hawaii's business climate to "grow" the economic prospects for all businesses.

"I am also worried about the impact this bill would have on the environment. Some studies show that the production and use of biomass could produce far more greenhouse gases than biomass purportedly saves. Biomass is not as environmentally friendly as many scientists have claimed. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker I rise in strong support and I would like to thank my colleague from Kauai for introducing this bill."

Representative Pine rose in support of the measure with reservations, and asked that the remarks of Representative Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3215, SD 3, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BIODIESEL," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Marumoto, Meyer and Thielen voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1692-08) recommending that S.B. No. 2933, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2933, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with reservations on Standing Committee Report 1692-08, Senate Bill 2933. Mr. Speaker, this bill allows the use of clotheslines by owners of privately owned family residences and provides restrictions on the locations of clotheslines. The purpose of this Act is to prohibit contracts and other binding agreements from precluding the erecting and the use of clotheslines on a premises of single family dwellings, and to prohibit rules on the placement of clotheslines from being unduly or unreasonably restrictive.

"First let me make clear that I applaud the intent of this bill which is to reduce the use of clothes dryers to decrease the amount of electricity that households use and thereby reduce the amount of fossil fuels used to generate electricity. My issue with this bill however is threefold.

"First the language in this bill is tenuous in that it states, quote: 'No person shall be prevented by any covenant, decoration, bylaws, restriction, deeds, etc. from erecting and using a clothesline for the purpose of drying clothes on a premise of any single family residential dwelling or townhouse that a person owns provided that rules that facilitate the placement of clotheslines shall not be unduly or unreasonably restrictive.' Mr. Speaker the terms, 'unduly' or 'unreasonably restrictive' are simply relative and difficult to interpret. I submit that it is bad public policy to be passing laws with tenuous language because it will lead to lawsuits for interpretation by a court of law thus increasing litigation.

"My second issue with this bill is that some communities in Hawaii are guided by Homeowner's Associations. For example the Villages of Kapolei, the town of Mililani, the towns of Waikele, Village Park and Royal Kunia are all under the auspices of Homeowner's Associations. As such people living in these communities are bound by project documents such as the declaration of Covenants, Conditions and Restrictions also known as CCRs. Restrictive covenants therefore are rules which homeowners must follow as part of the upkeep of the neighborhood. While the Legislature purports that it is simply aesthetics, I submit that it is for another reason. It's for the property values of a homeowner to keep up that property value by being bound by these restrictive covenants.

"I live in a Homeowner's Association and chose to live in a community under the auspices of a Homeowner's Association because I wanted to live in a planned community with restrictive covenants to keep among other things, the value of my property. I can support this bill wholeheartedly if the clotheslines were screened off and not in plain view because that would achieve the intent of this bill while also including the upkeep of one's property value and the aesthetics of the community. That was a simple compromise to this measure and I'm sorry that it was not inserted into this bill.

"Finally Mr. Speaker when homeowners sign their project documents upon purchasing their home in a Homeowner's Association, a legally binding contract was entered into between the developer and homeowner. By passing this law we're arguably

interfering with contractual relations. For these reasons Mr. Speaker, I stand in support with strong reservations. Thank you."

Representative Karamatsu rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm rising in support with reservations. I too have a district that has several planned communities which include Waikele, Royal Kunia and also Village Park. I have reservations and concerns, but I support the intent. I would like to adopt the words from the previous speaker from Kapolei as my own," and the Chair "so ordered." (By reference only.)

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of the measure. I represent the Princeville area which is I believe the second largest planned community in the State. And of course I ran the language of the bill by the Homeowner's Association which found no problems with the language, and actually allows people to dry their clothes outdoors. They didn't find it overly burdensome.

"I just wanted to point out to the Members that this community probably has the highest property values in the State, and in one of the most beautiful areas in the State along the golf course with numerous resort complexes within this planned community. So again, they found no problems with this measure. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. Mr. Speaker I don't think it's appropriate for the Legislature to try to preempt contract law. These Associations, as the speaker from Kapolei said, many of the buyers of these properties with restrictive covenants, they sign a paper saying they agree to those covenants. And some of the covenants actually run with the land. They're included in the deed. These are recognized documents that hold water and everybody agrees to it. For us to just pass a bill and say 'Nope, that means nothing. We know what's good for you,' I don’t think that's appropriate.

"Some covenants have a short period on them, maybe 20 years, 15 years. Some can be amended. We have Associations, Homeowner Associations, and these folks can decide what they want in their neighborhood. But for us to send out this edict that we don't recognize any of these contracts, covenants, declarations, bylaws, they mean nothing to us. The greater good is you hang out your laundry. I don't think that's appropriate, Mr. Speaker."

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would like a ruling on a potential conflict. I'm a member of a community association that would be affected by this measure. And another one. I own a clothes dryer," and the Chair ruled, "no conflict."

Representative McKelvey then asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose in support of the measure with reservations, and asked that the remarks of Representative Har be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I want to speak in favor with some minor reservations. My only reservation is that we don't have a tax credit for a clothesline. We have a tax credit for everything else. Why not for clotheslines?

"It brings back memories when I had a clothesline in my home years back, and watching the sun shine on the clothes. And in the evening you had to look out for some weirdoes who came out and took the women's underwear. Anyway, I'm sorry, Mr. Speaker. I think that we should encourage more of this activity with a tax credit. Thank you."

Representative Cabanilla rose to speak in support of the measure, stating:

"I'm rising still in support Mr. Speaker, but I would like to make a few comments. I represent Ewa, and one of the biggest blessings that Ewa has is sunshine, about 300 days a year. Furthermore, I represent an area with community associations and condominium associations, and I was really elated when I heard about this bill that was introduced by my colleague from Kauai, because I didn't have to introduce it. A lot of my constituents have been harassed by these community associations because they want to hang their clothes outside. So I'm expressing the sentiment in my district, but they do favor clotheslines. Thank you."

Representative Pine rose to disclose a potential conflict of interest, stating:

"I just wanted to disclose a conflict. I'm a member of a community association as well," and the Chair ruled, "no conflict."

Representative Pine continued in support of the measure, stating:

"I'm in strong support, and I would love to have clotheslines in my backyard, but I'll put them below the gate so that those people that are opposed to it are not mad about it."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker I rise in support of this measure. Just briefly, I represent a community in Aiea, and in fact live in Newtown, one of our planned community associations in that area. But I also am the President of another condo association in Waiau, and I just want to remind the Members that it took either an act of Congress or an act of the Legislature to allow homeowners to put up solar water heater panels, and to also put up satellite TV dishes. And it's because of progressive people before us that saw the benefits of those two items that we now have it as standard regardless of covenants and deeds and things like that.

"I understand the concerns of some of the colleagues in respecting the rights and privileges of Associations, and I think we can work on this a little bit more. But it's going to take a law to allow members of our communities to save energy and utilize clotheslines. I just wanted to also mention, if you don't have a solar water heater, water heaters are the number one utilizer of electricity, and I think number two, followed very closely, are clothes dryers. So I think this is going to save a lot of electricity. Thank you."

Representative M. Oshiro rose in support of the measure, stating:

"Mr. Speaker, I stand in strong support."

Representative Ward rose to speak in support of the measure with reservations, stating:

"I want to thank the Representative from Maui for interjecting levity into the debate on the Floor today. But my position is with reservations because of the falsity of government that I think is behind this."

Representative Evans rose to speak in support of the measure, stating:

"Thank you Mr. Speaker I'd like to submit written comments in support and also note I'm also a member of the community association," and the Chair ruled, "no conflict."

Representative Evans' written remarks are as follows:

"Mr. Speaker, in strong support. Clotheslines were a way of life before clothes dryers. With the high cost of electricity and what it takes to produce electricity, I strongly support the use of clotheslines. I personally do not find offensive the sight of clothes hanging. But, I'm sure many do find them offensive. Therefore, putting restrictions on where clothes can be hung is reasonable, as long as clothes can be hung. It's important to point out sometimes our laws are too vague and those who control decisions in planned community associations and homeowner associations can pass rules that reflect their own personal values instead of the good for all. We must be sure our intent is clearly understood."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'd like to vote in support, but with reservations and ask that the words of the Representatives from Kapolei and Aiea be entered as my own. I would also like to disclose that I am also on board of a community association," and the Chair ruled "no conflict."

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 2644, S.D. 1, H.D. 1 which allows the use of clotheslines on any privately owned single-family residential dwelling or townhouse. Contracts should be taken seriously. Government shouldn't haphazardly make laws that change the terms of an agreed upon contract. I'm sure there are other ways to achieve the goals of this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

At 11:48 o'clock a.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 3008, SD 2, HD 1
S.B. No. 3252, SD 2, HD 2
S.B. No. 2196, SD 2, HD 2
S.B. No. 2644, SD 1, HD 1
S.B. No. 3206, SD 2, HD 1
S.B. No. 3215, SD 3, HD 2
S.B. No. 2933, SD 2, HD 2

At 11:48 o'clock a.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:51 o'clock a.m.

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Manahan introduced the 7th and 8th grade students of St. Anthony School in Kalihi. They were accompanied by Mrs. Thorp and Sister Imelita.

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1696-08) recommending that S.B. No. 2720, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2720, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. No. 1696, I'm in support with reservations because this money was not included in the budget."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, regarding the question of the previous speaker. Yes, these positions are not in the budget, but we're hoping that through the budgetary process that we can get our colleagues to see the future value of these positions and how it would impact the overall expansion of the fire-safe cigarettes, as well as potential fire mitigation plans and potential supporting of additional issues relating to fireworks. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2720, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1698-08) recommending that S.B. No. 2341, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2341, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This is a bill that requires contracts made directly between the State and a non-governmental entity or through an interstate compact that provides for the incarceration or detention of Hawaii prisoners outside the State to have a contract or provide access to the same information as is required of the Department of Public Safety in the Sunshine Law. It includes the same remedies for the failure of the contractors to provide information as required by government agencies in the Sunshine Law.

"The problem I see is that these private prisons on the mainland are non-governmental entities performing a government function and I question whether they're subject to the UIPA requirements. The measure requires a private corrections contractor who contracts to house Hawaii's State inmates to submit to procedures required by State agencies under HRS 92F simply because they contract with the Public Safety Department of the State of Hawaii.

"I'm concerned that if this law passes, we will not have any private business who will want to contract with us. This could create a real problem for the State if suddenly we had to bring all our prisoners home. We have elected to send them to the mainland rather than build new prisons here, but if we put out a requirement that the private prisons are not going to follow, they're not going to bid for our business. And I think having all the prisoners come home would really be a crisis situation. Thank you, Mr. Speaker."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support. The previous speaker I think did well in teaching us what this bill is all about. But really, what it's about is we have people housed on the mainland and their parents, their family members, their loved ones, people who are advocates for people in our prison system who want to make sure that what we pay for is what we get. And I believe that having access to information to what's in the contract, have it readily available to the people that are housed in these facilities as well as the family members is very important to make sure that our inmates are treated with respect and fairly and in accordance with the contract that we're paying.

"You could argue that we don't want some of our laws applying to the 'private sector,' but this is about our people, our brothers and sisters and members of our community that are living in another State under the control of someone else. So I think having this visibility is very appropriate.

"I really don't agree with the argument that it's going to keep the private sector from bidding on this because this is for profit and we're finding out they're making a good profit, these private prisons. So having the contract readily available, I don't see that as a problem. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I will vote with reservations on that same bill and submit written comments. I do believe that this will discourage the private contractors from bidding and if so we should be prepared to monetarily support these prisoners returning.

"We all know that that's going to be a large amount. We all know that it's been a very huge struggle for the people of Hawaii, for our Legislature, for the Governor to find a place where we can build or expand our prison. If we go into measures like this, the unintended consequence could be the return of all of the prisoners then we need to be prepared for it and it needs to show up in the budget. Thank you."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 2644, S.D. 1, H.D. 1 which requires out-of-state detention facilities holding Hawaii prisoners under a contract with the State to make public information about the operation of the prison. This would discourage private vendors from bidding. Realistically, where will we put our prisoners if contracts aren't renewed? The unintended consequence of this bill is that all our prisoners return upon non-renewal of private prison contracts. This in affect ensures that "ALL" services and programs are lost for the prisoners, over crowding our current facilities, and seriously compromising safety. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2341, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Meyer voting no, and Representatives Nakasone and Sagum being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1735-08) recommending that S.B. No. 2129, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2129, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This is in regard to Standing Committee Report No. 1735. I am standing in opposition. The purpose of this bill is relating to elder affairs. The purpose of this bill is to promote the well-being of elder citizens of the State by ensuring that the recommendations and positions of the policy advisory board for elder affairs are disseminated, unaltered and unedited. This bill authorizes PABEA to testify before the Legislature on any matter related to its duties and responsibilities.

"Mr. Speaker, when you read those words and purposes, as well as what the actual legislation or what the bill says it does, it basically insinuates that they have no voice; that they're being under the thumb of the Governor and that they cannot speak. The Board cannot speak outside from speaking to the Governor and that the Legislature doesn't get truthful information is what I gather from this bill. And in speaking with and in front of us, when we had the Director of the Office on Aging speak on this bill, she did say that they have good working relationships, and that the PABEA actually has the ability to testify on their views on different issues and different pieces of Legislation.

"The only thing is that the Governor's Office, in handling some coordination in regard to seeing the testimony, and I think that that's fair. That is out of the Department of Health and that that information should be shared with the Governor's Office. One of the things when asked was can they basically testify with their own positions and as long as there is a disclaimer on there that basically says that this doesn't represent the views of the Governor or some kind of language like that, that they're okay to go ahead and testify with that information. I believe that that is fair.

"So by passing the piece of legislation or a bill like this, in the end, I just don't know what it does. We did change the effective date so this looks like it's going fast track forward, and the language just to restate what the language is in the bill, is the Board may testify before the Legislature on any matter related to it's duties and responsibilities in which they can do now. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I stand in support. To respond to the comments made by the Minority Leader, this in fact is a real issue and I've had the privilege and the pleasure of working with PABEA over the years, particularly with prescription drug issue. I've been to many of their meeting and in fact, that is the concern. There has been a chilling effect on the ability of PABEA to come testify at the Legislature, free and clear.

"I think it really strikes the heart of their concern, and that is, does PABEA represent the interest of the elderly in the State, or should they represent the Administration? They believe it's the former and they were told that their testimony has to reflect the concerns and positions of the Administration.

"I believe this bill really clarifies that they have an independent position within government that they can come here and testify, representing themselves. If it's not needed, why not just have it

anyway so that it's clear to everyone that they are an independent voice representing seniors in our State? Thank you, Mr. Speaker."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also have reservations on this matter and I would like to adopt the words of the Minority Leader. In addition I believe this bill is unnecessary and I don't believe we want a law of this type on our books. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2129, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ELDER AFFAIRS," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1736-08) recommending that S.B. No. 2480, SD 2, HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2480, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have reservations. Just to point out that currently, I realize that the money from TANF was taken out of the bill, but I still have reservations because it's actually asking for money from DHS for STEM. I don't quite know how those dots connect, so if you can just note my reservations on that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2480, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY WORKFORCE AND DEVELOPMENT," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1737-08) recommending that S.B. No. 2202, HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2202, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PARTIAL PUBLIC FINANCING OF ELECTIONS," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1738-08) recommending that S.B. No. 651, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 651, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. This is a bill dealing with the recycling of plastic bags and I'm rising in opposition for a lot of the same reasons that the Sierra Club had. I'm going to read from their testimony.

As it is currently written, the proposed Senate Bill 651, HD 2 simply requires certain stores to take back clean bags. This is a good thing. The customers are not required to take back their bags. Customers have little incentive to bring their bags back to the store aside from the sense of environmental stewardship, and stores are not required to actually recycle the bags.

"In looking at the bill and it seems like a lot of busy work and a lot of expense. We're going to create a new program with the Department of Health. It is estimated it might cost about $200,000 for the positions. The stores are going to have to send in reports for a minimum of three years. I'm not quite sure what they're reporting on. I guess they're going to have to count these bags to talk about how many bags that people are bringing back.

"And there are fines. I guess they can get fined because they don't send in reports. I'm not sure, but maybe they don't put out a receptacle for people to put their old bags in. And the fines are $100 for the first violation; $200 for the second violation; and $500 for the third. And it doesn't call for any particular recycling. It doesn't say what they're doing with these bags. But I feel for these store people that have to count all these bags that come in. They're supposed to be clean. Some people are careful, some people not, and you know what meat does in a bag.

"I think that this is an expense. It's maybe the beginning of something greater, but just the way it is now I certainly can't support it."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I too rise in opposition to this measure for different reasons than the Minority Floor Leader. With all due respect to the efforts of those Committees who were working on this in the House, and looking at ways in which we can curtail the use and the abuse, I guess, on the whole issue of plastic bags. The section that I have most difficulty with in this bill has to do with conflict in other laws.

"It appears to be fairly unnecessary to state that unless expressly authorized by this part, a county or other public agencies shall not adopt, implement or enforce any ordinance or rule, regulation that one, requires a store that is in compliance to collect or transport. So it appears as if this is somewhat redundant. I don't think it's necessary to restate that if a store is in compliance with what we're asking them, that a county cannot implement or enforce other ordinances.

"In addition I think that it is not correct, and I believe perhaps not legal to preempt the counties' abilities to do this. And so for that reason, I'm going to vote against this and request that further comments be inserted in the Journal. Thank you."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I rise in opposition to SB 651 SD 2 HD 2.

"The language in this draft limits and pre-empts the ability of our county governments to work out solutions to the problems of plastic bags that best fit the needs of their local communities. While this proposed draft measure significantly departs from the original language and intent of the bill, it does little to curtail the use of oil-based plastic bags.

"The environmental problems associated with the wide-spread use of plastic bags are becoming monumental. Our public spaces, waterways, and oceans are being choked by our inability to manage an appropriate disposal method of plastic bags. The current draft of SB 651, SD2, HD2, appeases the retailers and food industry members by providing them a time-frame in which they can create plastic bag recycling programs. It also effectively limits the efforts of those who offer sound alternatives to plastic bags and pre-empts county efforts that provide opportunities for communities to work

authentically toward a sustainable environment and prosperous economy.

"The current language of this bill does not inform the stakeholders – citizens, government and business – on appropriate methods for recycling. Currently, consumers who regularly place their bags in the limited number of recycling containers are unaware of the real disposition of those bags and that those bags are routinely sent to the H-power facility to be incinerated.

"The definition of "store" further limits the recycling efforts by not requiring all retailers to participate in plastic bag recycling programs. It allows retailers to opt out of the requirements by claiming "financial hardship." In the current state of our economy, we can argue that most businesses can make a claim of financial hardship, and this argument becomes redundant.

"We have begun conversations, on a community and county level, regarding the important issues of consumer and business behavior on our environment. I hope that these discussions continue to move forward, and I believe this bill will bring a resounding halt to these important efforts.

"The most troubling amendment in the proposed SB 651, SD2, HD2, however, is the prohibition on public agencies and counties to adopt rules or ordinances that actually require the recycling of plastic bags or that impose a plastic bag usage surcharge. Policies initiated at the county level could be far more beneficial in reducing plastic bag waste and litter. This bill would disallow a county process and circumvent the opportunity for public input.

"I believe that Hawaii can join other cities and countries around the globe in offering leadership regarding self-sufficiency and thrive-ability – this bill sets us back, Mr. Speaker. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. Mr. Speaker in response to the previous speaker, the retail merchants and the retailers in general have stepped up and said that they want to implement a recycling program. The amendment that Finance put in to a put a timeline as to what the counties are looking at, trying to ban plastic bags, we set a time limit of two years that they have to come up with a program that is working.

"So I think this is a very good bill moving forward where we've allowed private sector to step up and come up with policies that will help our environment, and also allow the public to also step up and take responsibility in recycling their bags, with maybe government at this point setting the timeline and the framework of this policy. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on said bill, plastic bags. Mr. Speaker, I think the intention is well stated. The structure of the incentives need to be examined both for the consumer, as well as for the retailers. And without a properly thoughtful structure of incentives, I think this thing is going to go through as a mandate, and it's going to probably fall on its face unless it's sketched out in much more detail.

"I think it's a good discussion piece, but in terms of finalization, I think the Conference Committee and the timelines and the other referral things hopefully will give it a lot more thought. I think it really needs to be recycled at this moment. Thank you."

Representative Shimabukuro rose in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations and would like to adopt the words of the Representative of East Honolulu as my own. Thank you," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 651, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO RECYCLING," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Belatti, Berg, Finnegan, Meyer, Shimabukuro and Takai voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1745-08) recommending that S.B. No. 2864, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2864, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

At 12:10 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2720, SD 2, HD 1
S.B. No. 2341, SD 1, HD 1
S.B. No. 2129, SD 2, HD 1
S.B. No. 2480, SD 2, HD 2
S.B. No. 2202, HD 1
S.B. No. 651, SD 2, HD 2
S.B. No. 2864, SD 2, HD 2

At 12:10 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:18 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1749-08) recommending that S.B. No. 2829, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2829, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker and colleagues. I rise in opposition to Senate Bill 2829, HD 2. This measure requires the Department of Taxation to evaluate a plethora of tax credits and tax exemptions and report to the Legislature on whether these credits and exemptions should be continued, modified or permitted to expire. Next this measure provides for the automatic repeal of these credits and exemptions.

"I oppose this measure because it takes a sledge hammer to automatic repeal of credits and exemptions to fix a problem that requires a more precise and thoughtful approach. I appreciate the intention of the proponents of this bill who question the necessity of credits and exemptions, and who appear to want more uniformity, accountability and fairness injected into our tax system. However I think we must pay attention to testimony of agencies and organizations like the Department of Taxation, the Tax Foundation of Hawaii and the Chamber of Commerce of Hawaii who warn us about the danger of using an automatic repeal of tax incentives as a tool to reform the tax system.

"This automatic repeal will likely have a serious impact on businesses and the overall economy by creating volatility and uncertainty in the marketplace as businesses try to plan for the future. At a time when the nation is in the midst of a financial meltdown and our State is facing tough economic times, I think this measure, as well intentioned as it is, will have unintended consequences and a debilitating effect on our State.

"As a final note, it is curious to me that the general excise tax exemption for public utilities, motor carries and contract carriers, the general excise tax exemption for amounts received as salaries or wages for services rendered by an employee to an employer, the public service company tax credit for lifeline telephone service, and the ethanol facility tax credit were given a reprieve from the automatic repeal provision. What entitles the beneficiaries of these exemptions and credits at this time to be saved from the legislative sledge hammer in comparison to those beneficiaries, equally deserving entities that qualified for the low-income housing tax credit or exemptions as nonprofit charitable, scientific and educational organizations? Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"My second time? Some things are equal, and some things are unequal. But I'll accept that because I'm only going to speak once against this particular measure which the previous speaker stated very well, except I would add Mr. Speaker, that businesses go where they are asked, but they stay where they are welcome. This is pulling the mat from underneath a lot of our businesses because some of the structure and the incentive is to bring them here is going to be pulled out from underneath them.

"Business, more so than even politicians, need predictability. When you put an investment in place, you have to be able to measure the risks against the benefits. But unless this is just an anti-business bill, let's look at who's going to be affected. Not only the high technology corporations, but also hospitals, homeless shelters, affordable housing, conference and conventions, trade shows, schools, nonprofits, medical and other insurance polices, pensions, employees. It's across the board; the baby out with the bath. All the good and the bad. The problem is that it gives automatic repeal dates for something that we should be a little more rational with. Why the repeal dates are in the bill, I have no idea. If we're going to study it and measure it; then that makes a lot of sense.

"Lastly Mr. Speaker, I would say if there's overwhelming support for this bill, we should really look at it. But for all of us in this room who've been elected, we know that the majority usually runs superior to the minority, and right now we've got almost 100 people who are opposed to this with one group for it. So if we talk about the will of the people in terms of what we want to do, and in terms of tax incentives, there's not one organization except for one in this whole State that is for this bill.

"What we've got to do is rethink this. We shouldn't throw the baby out with the bath. We should look at the real incentives that have brought real progress to this State, and not go backward by pretending that we're going forward. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. For those who suggested that this is a 'sledge hammer' approach, it's very difficult to get rid of a tax credit once it's been put in, or a tax deduction. I think at least a threat of a sledge hammer is probably necessary to make any progress on a bill like this.

"Just as a matter of simple economics, any tax deduction or tax credit is a distortion of the market because it reduces the cost of doing business for making a particular product or providing a particular kind of service. And I think every once and a while we need to go out and look at all the exemptions and deductions and decide whether or not we still need to keep them in place and because there is a special, and almost by definition, there's a special interest backing each one of these deductions or exemptions you do have to have a sledge hammer approach.

"So I support the bill. I don't know if this is the final form it will end up in, but the concept is a good one. Mahalo."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support. And I'd like to adopt the words of the previous speaker as if they were my own. Mr. Speaker, this measure also came from the recommendation from the Tax Review Commission. Currently most tax credits or incentives that we put in place today had sunsets. These reviews are for measures or policies that we had put in place in the past that don't have a sunset. So as we go forward, and we know times have changed, and we know we need to look at our policies going forward, I think this is prudent to kind of look at our tax structure and see if it really is working for the benefit of the people of this community, Mr. Speaker. And just another note. It does not affect the high tech community. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2829, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 40 ayes to 9 noes, with Representatives Belatti, Berg, Bertram, Ching, Finnegan, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1750-08) recommending that S.B. No. 2803, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2803, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with some serious concerns. I'll be voting in support of this, but I think we ought to really rethink in today's era. I believe that there was an article in today's paper about the IRS and there's a concern that hackers are going to be able to get information they submitted when one files one's taxes as now required through the Internet.

"This bill would create a report, a one stop shop which would really be available for interested hackers who are trying to target personal information in Hawaii. And the problem I find is that any value in creating such a report is far outweighed by the risks that that new public report would have up there and available for hackers to access this personal information.

"So I would like to have, as this bill moves into Conference Committee, I would like to have the Conferees rethink this particularly when we're taking steps in other legislation to only allow the last four digits of Social Security numbers to be used. This may be a very imprudent way to proceed. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. The purpose of this bill is to protect the personal information collected and maintained by State and county agencies through the implementation of the recommendations of the "Hawaii Identity Theft Task Force Report" of December 2007. I served on the taskforce and through this bill we hope to reduce identity theft. The bill:

(1) Requires each state and county agency to designate an employee to ensure the agency's compliance with requirements relating to the security of personal information;

(2) Establishes the Information and Privacy Security Council to be placed administratively within the Department of the Attorney General and appropriates funds for three staff analyst positions to support the Council;

(3) Changes the effective date of Chapter 487J, Hawaii Revised Statutes, relating to social security number protection, to July 1, 2009;

(4) Requires conditions on third party personal information use to be included in contracts between government agencies and third parties that provide support services on behalf of the agency;

(5) Requires state and county agencies responsible for human resource functions to develop and distribute to agencies, guidelines to minimize unauthorized access to personal information;

(6) Requires state and government agencies to develop a written policy regarding notification of security breaches of personal information; and

(7) Defines the terms: "government agency," "personal information," "personal information system," "records," and "security breach."

"The current draft of this bill was amended to take out the requirement that:

(5) Requires state and county agencies that collect, maintain, or disseminate documents with personal information to:

(A) Develop and implement a plan to protect the personal information; and
(B) Develop a written plan to eliminate unnecessary collection and use of social security numbers;

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2803, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1751-08) recommending that S.B. No. 3165, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3165, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations on Senate Bill 3165, SD 2, HD 2. Thank you, I'll be very brief. I guess in light of the bill we just previously spoke on which would ax out and remove many of these tax exemptions and tax credits. Here with this bill, what we're doing is implementing a tax exemption that appears to be premature in light of the fact that we don't have the details of the transit route and the system has not been finalized.

"I'd like to quote testimony from the City and County of Honolulu which says: 'We're not against these types of tax exemptions, but financial tools and incentives should be considered broadly and in the context of the community needs and wants in transit oriented development projects in specific neighborhood.'

"In light of that, I just stand with reservations and I hope as this moves forward we look more closely at all the financial incentives that could be implemented at DOT and that would consult with the City and County of Honolulu. Thank you, very much."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this measure for the same reasons stated by the previous speaker. I agree with her that I'm not sure this is the right time for the measure. It is probably premature since details of the mass transit project have yet to be finalized. I don't think I have a problem with granting a GET exemption to community healthcare facilities, but housing projects may require more scrutiny.

"I'm not sure that this legislation is even necessary because there already exists the GET exemption for affordable rental housing projects certified under HRS 201G-116. Those projects are already exempt in the GET under HRS 237-29. According to the Department of Taxation testimony, there is nothing to suggest that the current exemptions could not be extended to these projects if they were determined acceptable by the housing agencies. This type of mixed use housing project may also be exempt under Chapter 206-E, so perhaps this measure is unnecessary. Please know that the planning, design, sale and lease of these health facilities and affordable housing units are also exempt from the GET. So I ask for your closest scrutiny of this bill and urge my colleagues to vote no. Thank you."

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB 3165, SD2, HD2, relating to General Excise Tax exemptions for mixed-use transit-oriented joint development projects that provide affordable housing and community health care facilities.

"I realize that building a transit system is an expensive proposition. Our taxpayers have already begun to pay through the increased GET earmarked for Oahu's proposed transit—even though it is years before we will see such a system in operation.

"For this reason, I am pleased that this bill prohibits counties from exempting any and all joint development projects that might be proposed in conjunction with transit. I am even more pleased that the bill does provide exemptions for two types of projects that are sorely needed throughout our State, but particularly in urban areas that will be served by mass transit.

"In short, mass transit implies more than transportation issues alone. It will strongly impact housing and healthcare. Hopefully the impact will be favorable, if done properly and with sufficient advance planning. This bill provides an opportunity to look to the future. It gives the City & County of Honolulu a chance to serve our low- and middle-income, and elderly Hawaii residents – and to avoid over-commercialization and the proliferation of luxury housing for wealthy and out-of-state owners."

Representative Rhoads rose to speak in support of the measure, stating:

"In support. Mr. Speaker, there were several objections and let me try to address them quickly. First the Representative from District 25 makes a very good critique of my position, but I don't think it's inconsistent. My support from the two bills previous is based on the fact that a lot of these exemptions have been around forever and no one's really questioned whether they're still useful or not. The exemption that would be offered here would help our society provide two very important things: affordable housing, and healthcare especially for our *kupuna*. The fact that the transit route has not been finalized is why we need to do this now.

"What happens when the transit route is finalized is when the speculation begins and as soon as the speculation begins the prices go up and pretty soon all you have are wealthy people living along transit lines because it's more convenient. What this bill hopes to do is lock in some affordable housing on the transit lines because a transit line is the best place to put affordable housing because people who are poor are the most likely to give up their cars and use transit and they're the ones that need to do that the most because of their financial situation. So the fact that it's not finalized is an argument in favor of this bill, not against it.

"The prematurity argument is essentially the same thing. It's not premature because as soon as the transit stops are proverbially set in concrete, land speculation begins and the tendency on all of the projects of this nature on the mainland and other countries is that the transit line makes it a prime piece of real estate and people who need affordable housing lose out. So it's not premature.

"With regard to it not being necessary, it is true that there are already provisions for both the County and the State to build affordable housing and you do need GET exemptions for that, but that's not what this bill does. First of all it adds community healthcare, which is not currently available as far as I know. But this bill is a bigger carrot than that. It would exempt the entire project, a TOD, transit orient development project would exempt the entire project from GET. So if you have a $100 million project and only $50 million of it is housing or healthcare, then the entire project is exempt from that and that's a bigger carrot and in the environment that we seem to be operating in terms of building affordable housing, it is a necessary one. Mahalo."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker I am rising in opposition to this measure. At the Department of Planning and Permitting, their primary concern is that this bill is premature and an infringement on homerule, and that's a concern of mine. This bill interferes with the free flow of development ideas offered by the community under a community based planning effort and does nothing to compliment the transit oriented development. Rather it is an attempt to dictate and/or impose uses in our transit development as evidence by section 3 of the bill that prohibits the counties from granting GET exemptions to mixed use transit oriented joint developments.

"I guess my biggest concern is on the homerule issue. The whole transit thing is homerule and most of the land on the side of the stops will be City and County and this is sort of like a mini HCDH, where the State just decides what can be done in certain areas even though it is something that is usually under the purview of the City and County of Honolulu. Thank you."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, still in support. Just a quick rebuttal on the homerule issue. Despite the admittedly confusing legalese in the bill, this measure does require the County to approve any of these TOD projects. So the county is not cut out of it. On the contrary, the county is explicitly included and they have to approve the project. Mahalo."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. Just a quick rebuttal to my neighbor and colleague of District 26. I just wanted to say again that my reservations are with respect to applying this singular tax exemption at this time. I do agree that we need to look at these financial tools to encourage development of healthcare facilities and affordable housing, but if that's the case, then let's talk about requirements of affordable housing along transit orients of development or any other number of measures and not simply this one measure.

"And one last point in rebuttal. Speculation is going on now as we speak with regard to lots of properties along lots of proposed rail transit lines, so with that argument in support of this I don't believe that. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3165, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Bertram, Marumoto and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1753-08) recommending that S.B. No. 2828, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2828, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising to speak against this bill. Mr. Speaker what this bill does is tie the hands of the Governor at a time when she most will be needed by the people of Hawaii to be able to act quickly and decisively. Instead the bill says that in case of an emergency, the Governor will have to stop, find and declare through an Emergency Proclamation that tangible and measureable harm or damage has resulted, and that would be obvious to anyone with common sense, which this bill lacks. Anyway, tangible and measurable harm has resulted, or is about to result as a consequence of a disaster and that the disaster relief can't be achieved through legislation enacted in the next Session or in a Special Session called by the Governor. I mean, that's just stupid.

"In my mind, when you have an emergency and you have a leader of this State that was elected by the people to be in charge and to be able to act in an emergency, we have no business tying her hands and saying she has to first create this Proclamation and ask us for permission to be able to go ahead and act. I mean it's just absolutely foolish.

"The other thing that is very disturbing about this bill, there are certain areas carved out where she's going to be allowed to act, but there's not an area where there's an emergency and the Governor would need to, for example, transport time-sensitive medicine supplies to the Neighbor Islands in a case where other planes are not flying and she would have to bring in the National Guard to do it. That's not one of the emergencies.

"A big problem about saying, 'Well, wait a minute. We'll allow her to act when there are these five different things, but nothing else is included.' That's pretty foolish because we will not have covered all of the emergencies, and when you look at the bill you realize they aren't all covered. We may have a massive blackout. We may have bridge collapses. We may have massive sewage spills. All of these will then say to the Governor, those are not one of the categories where you can go ahead and use your emergency powers. You have to come back and ask us, issue a Proclamation, and bring us into Special Session. Or if we're in the Regular Session, then come to us

to say, 'May I?' Well that's no way to run a State. That's no way to keep our people safe.

"But the cruelest thing in this bill is, were this bill to pass and stand, it shuts down the homeless shelters. We had quite a discussion a few weeks ago on this bill, and the idea that the Majority side, you all said that the Governor should not have treated homelessness as an emergency. So now you're really driving a nail into the coffin. You're shutting down the homeless shelters upon the enactment of the legislation. And not only is that cruel, I think it's reprehensible.

"Those shelters were put up by the Governor to deal with an emergency situation. The Next Step shelters have helped people throughout our community that needed help, and they've given them dignity. And now the Majority wants to shut them down, handcuff the Governor, prevent her from being able to help the people of Hawaii immediately when there are emergencies and use her authority as the Executive, duly elected by an overwhelming majority; the Executive of our State. And you all now want to slap her down and prevent her from acting as the leader of our State. I believe you all should be ashamed."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this measure. As the previous speaker stated, this is clearly the example of an irrational fear of Lingle, IFL-phobia. As I said there was one before, this is second case of IFL-phobia. But it's perhaps the biggest bout of all because it puts us, the Legislature, first, before the people of Hawaii in an emergency. And I think regardless of the political advantage you get from that, that's not right public policy.

"As the bill is written, right now, falling rocks serve as an emergency. Falling rocks, not homelessness. We're putting rocks ahead of people. As my colleague also indicated, if perchance Aloha Airlines Cargo shuts down, and many colleagues from the Neighbor Island who depend on their food, their everything, from medicine to their basic lifeline through cargo. If Aloha Airlines and all their cargo ceases, the Governor, and say we're not in Session, would have to have a state of emergency declared. Would she then wait for us to do that, or would she put the people first? I think you and I know the Governor well enough that she would put the people first.

"But this bill is putting us first instead of the people of Hawaii, Mr. Speaker. That's what's wrong. It's bad policy. Again as I said, let's count to seven. Take a deep breath. Let the Governor govern, and let this kind of legislation that's a tit for the tat politically, go away, especially in these disaster relief situations. Thank you."

Representative Souki rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. After much deliberation, I would like to speak against this measure. With due respect to the Chairman of Public Safety, the intent is very good, however I think it's misdirected. In the case of emergency, you don't have the time for issuing Proclamations and calling the Legislature in Session. You need to act right away.

"So Mr. Speaker, in order to save some time, I wonder if you would mind me incorporating the remarks of the Representative from Kailua, with the exception of the part about being reprehensible. I don't think the members of the Majority are reprehensible. I think the intent was good, however possibly misdirected. Thank you, very much."

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. And to save everyone's time that is precious, and because the remarks of the Speaker Emeritus are to the point, I'd like to adopt his words as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. And we've heard a lot of emotion on this issue and I'd like to preface my remarks with, 'Let's ramp it down a bit on the rhetoric, and let's talk about what the bill is about.' Read the bill and see what it is we're trying to do.

"There's not a person in these Chambers Mr. Speaker, who doesn't recognize the seriousness and the human suffering from homelessness, as an issue. We've all fought together on many fronts to try to address this issue and the Majority, over the past couple of Sessions, has made it part of a Majority Package. The Chair of Human Services has worked very hard to try to address the issue. And unfortunately we all, all of us in this Body, have a lifetime of battle in front of us to deal with this issue. I want to say thank you and mahalo, to all of us here for our collective efforts, and our hearts and minds, in trying to address the homeless issue. It's a sad, long-term, on-going problem that we need to address and work with the Governor on, and with each other.

"But this measure, Mr. Speaker, is not about homelessness. It's just not. It's about the proper use of emergency powers and the integrity of our checks and balances system. We need to remember that we're the Legislative branch, not the Executive branch. This is not about the fear of the Governor. It's about our duties as the Legislative branch of government. More importantly, this bill continues to support the Governor's powers to respond to disasters. It does not take away her powers. Existing State law in disasters includes conditions caused by fire, flood, tidal wave, volcanic eruption, pandemic illness, earthquakes and other natural causes. And it also addresses man-made disasters such as massive oil spills, nuclear accidents, airplane crashes, civil disturbances, enemy attacks and acts of terrorism. It covers about everything possible that we can imagine.

"So let us be clear. This bill will continue to provide the Governor with the powers needed to manage disaster relief. It does not take away those powers. This measure will also mandate the Governor to include one additional finding in the Emergency Proclamation for any disaster not caused by an enemy attack. It's something the Governor does every time she declares a disaster. She makes findings and we're asking her to make one more finding. This finding is that the disaster has caused tangible and measurable harm, and that disaster relief could not otherwise be achieved through the Legislature in Regular or Special Legislative Session. She just needs to make that finding her Proclamation.

"And remember, the Governor can convene a Special Session at any time, if for some reason she wanted to have it addressed through policy. That is all we're talking about here. Nothing more, nothing less. One additional finding in the Emergency Proclamation that is currently required to be issued for any disaster relief. The Governor must already make these specific findings as mentioned. Nothing in this bill would impair the Governor's authority to respond to any disaster when conditions rise to the level of true emergency such as a nuclear accident on a sub in Pearl Harbor, or major oil spill. The Governor will continue to be able to suspend any law that impedes, or tends to impede the expeditious and efficient execution of disaster relief. These suspensions would typically include waiving environmental laws, bid requirements, procurement laws, and legal notices in the event of a disaster such as a hurricane or major oil spill. The Governor will continue to have the extra powers to protect life and property in the State of Hawaii.

"I explain all of this because there are many other serious conditions that can exist, that do not rise to the level of the disasters that I mentioned. It doesn’t mean these conditions aren't critical, Mr. Speaker. These situations most likely exist because of the serious long-standing societal problems ranging from the degeneration of our public housing, to homelessness, to in some cases overcrowded

classrooms. Serious as these problems are, they are multi-faceted and must be dealt with through planning functions of the Executive branch and the Legislative branch, and we try to do that every Session. We all work on it.

"If this specific law, such as those for environmental protection, government procurement or legal notice have become barriers to good government that prevent government from doing its job, then these laws should be corrected, not abandoned.

"In closing, this bill merely requires the Governor to include one additional finding when issuing a disaster proclamation. The Governor need only to determine that the disaster could not have been managed through normal Executive and Legislative processes. The bill incorporates the principles of checks and balances Mr. Speaker, and the separation of powers that we need hold so dear and we continue to need to enforce without unreasonably impeding the Governor's ability to swiftly respond to true disasters. Thank you, Mr. Speaker. I urge our colleagues to support this measure. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. In strong support. This bill and the previous bill that also deals with the prevailing wage, and also dealing with this particular section of our laws in sections 127 and 128. I do agree with the Majority Leader. This is not a means in any way to minimize the issues of homelessness. However it is actually this body that has to decide the definition that we must give to what is homelessness. Some of us strongly believe that this falls as an emergency under 127 and 128, and maybe it does rise to that level. But are we ready to accept that so readily, or can we debate it. That's what we're doing.

"I believe that emergency situations do not include homelessness. Homelessness is found everywhere. My son just took a trip to Greece and he told me that a society as old as Greece still has graffiti and homelessness, and lots of it. He happened to be there during a time of a labor dispute also and there's garbage all over the place. That's not the kind of picture that we normally think of with Greece. We look at Greece historically as a leader, with beautiful cities and art, and politics. So homelessness is not a dirty word, and it is not necessarily a bad thing.

"And it's not really stupid to question whether or not this is an emergency. I don't think I'm being stupid. I think that there's a lot of opinions out there in the community, as well as this Chamber. And I think we should be allowed to express them without being labeled as such. It's unfortunate that we have to sit here and listen to that garbage talk, and that's why I'm standing up. I wasn't going to stand on this, but I also strongly believe that the Governor, the way she handled the situation of the homelessness, was acting under the guise of an emergency in order to accomplish policy goals that she wanted to accomplish in circumventing the process, which is the Legislative process, to address the issue of homelessness. And that is the reason why this bill is here.

"People complain, people out there who are constituents. These people are directly impacted by her decision to label homelessness as an emergency under sections 127 and 128. I think she's wrong, and I believe those people who are proponents of this measure also believe the same thing. Homelessness will be with us, with or without this emergency action done by Governor. I think it's going to be a continual problem.

"As the Majority Leader stated, this measure does not handcuff her. It does not label homelessness as any less of a social issue and policy that we must continue to work at. It merely says that when she does declare an emergency, and again, she does have to declare an emergency, she has to proclaim it according to sections 127 and 128. The previous speaker I believe, believed that making a Proclamation is something you don't have to do when there's an emergency situation, and that's wrong. When an emergency occurs, the Governor must proclaim it. This bill adds one line that says that it must be noted in the Proclamation that it is a situation that cannot otherwise be achieved through legislation enacted in the next occurring Legislative Session. I agree with the Majority Leader in this case. Thank you, very much."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. I am in support of this measure. To move everything along, I'd just like to make a couple of points.

"First of all, this measure does provide accountability for the Legislative branch to review the emergency declarations issued by the Governor so that the Proclamation will lapse at the following Regular Session, unless extended by the Legislature through an enactment of law or by Concurrent Resolution. In other words Mr. Speaker, this gives us the opportunity, let's say this particular Session to review the last Emergency Proclamation of the Governor to agree with her or disagree with her, and if we do agree with her to issue, by a Concurrent Resolution a support for the emergency declaration, and allow for the extension of it.

"And say the termination date for emergency declaration allows us to reexamine the assets of the State that are being used to address the emergency, and also the transfer of any monies that might have been appropriated per the emergency declaration. And I think in this particular instance, considering what is going on, on the Leeward Coast, the Proclamation that was issued three times, now on its third leg of its powers, and in particular the Maili Homeless Shelter. I think the Administration would welcome this provision that allows us to support them and their endeavors on the Leeward Coast.

"I also think that we need to not forgot that these powers that are before us are legislative appropriation powers, and certainly as your Finance Committee Chair, I do recognize the responsibility that we have vis-à-vis the Executive budget, to pay attention to the expenditure of public monies and the use of those monies.

"Under the emergency powers, the Governor can go and set aside procurement laws, land use laws, health permitting laws, and even county ordinances, to name a few. When you look at the facts Mr. Speaker, that the Governor did use these powers to divert some of the prior legislative appropriations that we made to the Employee Union Trust Fund and that occurred October 2006 through December 2007. And I think these facts alone indicate that this issue of homelessness, if it was a true emergency according to the Governor, she should have come to us in the last Session, the 2007 Regular Session, to seek specific appropriations for this purpose.

"In fact the biggest transfer of $8.9 million occurred April 20, 2007, just about a year ago. And I believe back then we were still in Session. We were probably going into Conference at that time. And at that point in time, it could have been taken up as an emergency appropriation request for that fiscal year. And all the issues regarding the development and land transfer issues of the Maili Transitional Homeless Shelter, could have, or should have been addressed by us.

"And I mention this Mr. Speaker, only to bring to light what I learned over the last several weeks. Maybe even the Minority Caucus was kept in the dark of these transfers. The transfer was made for $8,955,000 from the EUTF Fund on April 20, 2007. An additional $800,000 was transferred in August of 2007. And in December of 2007, a transfer of $2 million, for a total last year of $14.2 million under the Emergency Proclamation.

"Let's focus on the Maili Homeless Shelter and why it's relevant to discussion right now. When she issued this Proclamation, she was able to set aside certain laws regarding land use, ERS, procurement, health permits, water use, public hearing requirements, just to name a few."

Representative Lee rose to yield her time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"This past summer, the Finance Committee had the opportunity to tour various sites throughout the State. In December of last year, we did go out to the Leeward Coast to visit some of the homeless transitional shelters and facilities. And when we went out there to Kalaeloa, we did meet with 'head czar' of the homeless efforts out there and we did speak to them about the different projects going on out there. And one of projects they did bring to mind was the Maili Homeless Shelter and the status of the facility. They were boasting that it was brought about by the Emergency Proclamations, that in nine months it was up and running, and that they've addressed several of the needs of the community.

"Interestingly Mr. Speaker, about three weeks ago, last March, I met with the Governor's Chief of Staff, Russ Saito, and a member of the Governor's Office and we did talk about the problems that they're facing out in Maili right now. Let me just kind of highlight a few of them.

"First of all, the parcel of land that the shelter was built upon is currently under the management of the Voice of America and it's a federal entity under the federal government. The idea is that now it is going to be transferred to Department of Land and Natural Resources from the federal government. And then the Department of Land and Natural Resources will then transfer the parcel to the Department of Hawaiian Homelands for the purposes of the beneficiaries. And the Department of Hawaiian Homelands working with the Department of Land and Natural Resources was going to receive transfer property, Molokai High School property on the Island of Molokai. And then ultimately the Department of Hawaiian Homelands was going to assume control of the parcel and develop the parcel on behalf of the Department of Hawaiian Homelands beneficiaries.

"I don't believe any of that has happened to this day. But because of the Governor's actions Mr. Speaker, and the use or abuse of these emergency powers, these are some of the things I do know. Some of the people in the community are not happy for they are not involved in discussion on the siting of this homeless facility in their backyard.

"Number two, I believe that there is some unhappiness with the DHHL beneficiaries who were not consulted in the use of their lands. And further Mr. Speaker, what would happen when the emergency powers under the Proclamations expires June 30, 2008? A concern that I heard from the Administration is that because the sitting Senator in that area, and some of the members of the Hawaiian Homestead community oppose the project, they may take it to court and shut it down.

"So Mr. Speaker, I look at this bill and this measure and the Concurrent Resolution authority therein, to actually maybe help the Governor finish this project. For these reasons, I stand in strong support. Thank you."

Representative Souki rose to respond, stating:

"Mr. Speaker, I find it very distasteful that I must speak against some of the Majority leaders. But this body, especially the Majority, must understand that Parties and Governors come and go. Who is in power should not be the consideration. The consideration is what is the most expeditious way of handling this. Yes, we could have handled it in an emergency funding, but Members, if you would look at the bill there is emergency funding right now that has not passed this body yet, and that came out early in the Session. Where's the expediting on that?

"My understanding is on the Big Island, they're ready to go bankrupt at the hospitals, and they still don't have emergency appropriations. So what I am asking this body here is to look within yourself, and look into the possibilities of: Am I being intrusive? What is best for the State? Yes, the homeless project maybe was handled incorrectly. However that's rather petty if we're going to be looking at the major issue to come up with a bill of this nature. I don't want the State to look at us as really spiteful because of action that was taken. So let's re-examine ourselves, and again my apologies to the Majority. Thank you, very much."

The Chair then stated:

"Before we proceed, Members we've had a lot of discussion. It's been 30 minutes, so if you are going to speak further, please confine your discussion to things that have not already been brought up."

Representative Rhoads rose to respond, stating:

"Mr. Speaker, very quickly in support. I think it's clear that the Republican party has controlled Congress until recently, and the President of the United States …"

Representative Thielen rose, stating:

"Mr. Speaker that has absolutely nothing to do with the bill."

Representative Rhoads: "I have the floor, Mr. Speaker. It has everything to do with the bill."

Vice Speaker Chong: "Representative Thielen, the Chair has called on Representative Rhoads to make his connection ."

Representative Thielen: "That has nothing to do with the bill."

Representative Rhoads: "Yes it does."

Vice Speaker Chong: "Representative Thielen, please sit down."

Representative Thielen: "It's the people here in Hawaii, and it's the Democrat Party …"

Vice Speaker Chong: "Representative Thielen, please sit down. Representative Rhoads, please proceed."

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. You've made a ruling."

Representative Rhoads: "Mr. Speaker, obviously the President of the United States and the Republicans in Congress did not see this as an emergency because if they had, they would not have …"

Representative Thielen: "Mr. Speaker, the President of the United States has nothing to do with this bill …"

Vice Speaker Chong: "Representative Thielen, please sit down."

At 1:03 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:05 o'clock p.m.

Representative Rhoads: "Mr. Speaker, I was just going to make the point that the Republicans in Congress and President Bush have systematically cut the budget from the Department of Housing and Urban Development, and if they hadn't done that, it probably …"

Representative Thielen: "Mr. Speaker, this has nothing to do with the bill…"

Vice Speaker Chong: "Representative Thielen, you're out of order. Please sit down."

Representative Rhoads: "It's quite possible there wouldn't have been a need for the Governor of this State to declare an emergency for housing because the Department of Housing and Urban Development's mission is to build housing for those that need it the most. Mahalo."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition, and definitely in rebuttal. I don't know any Republican in Congress. I don't think I've met a Democrat in Congress except Abercrombie, but I see all the Democrats here that are causing this problem against homelessness. I can only affect here. And this is about homelessness because people have already said they disagree with how the Governor handled it. So when we say we're due for checks and balances of our government, I'm sorry I see no check on us. This super Majority has prevented us from doing really great things for Hawaii.

"It's been said earlier that it is not an emergency if it can be fixed, a problem can be fixed, by planned actions of the Legislature. As I mentioned earlier, I disclosed a conflict because I work with a homeless shelter. I can tell you from the people that I see and that I know everyday, and they came to this Legislature saying that you need to plan and take action on the homeless problem because we're going to have a very huge problem.

"Before I took office, Hao Bush or Oneula Beach Park, there were 200 people living in the bushes and they took over our parks and many of us wanted to help them, those that wanted to be helped. But we had no place to put them. All the shelters were overbooked. And sadly the crime element went into those communities and preyed on those people and caused even bigger problems for us. We're finding needles and drugs on the beaches where kids played. We're finding feces all over causing health problems.

"Let me tell you about some of the people that I've met in my other profession. I've met so many single mothers who lost their jobs for whatever reason. It had nothing to do with President Bush or Republicans there. She had no place to go because it had everything to do with this Legislature, this Democrat Legislature failing to provide funding so that she could have housing. And you know what? This one lady, she was given a free scholarship and she's going to college now. She has a locked room where she and her children can be safe instead of on the beach where all the drug dealers are at, and she's so happy. So you can disagree with how the Governor appropriated the money, it was completely legal.

"My grandmother is neighbors with former Lieutenant Governor who the law school is named after, William Richardson, and she'd tell me stories when our State was founded and she talked about that first Constitutional Convention and how they were really for creating a government that was balanced, truly balanced and a government that really put the people first. This measure, according to a student, would say that this does not put the people first. It puts politics first. I looked into the Constitution of the State of Hawaii and what powers that they give the Governor to expend money. It really doesn't even say disasters, it says: 'no public money shall be expended except pursued to appropriations made by law except when the Governor publically declares that public health, safety or welfare dispersing as provided by law.'

"I would say that my community, that the health, safety and welfare of a lot of people were threatened, when this Legislature, this Democrat Majority Legislature failed to act to provide them homes."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. Would the Majority Leader submit to a question regarding this bill?"

The Chair addressed Representative Caldwell who responded,

"No."

Representative Meyer rose to respond, stating:

"I just wanted to respond to some comments made by the Representative from Waipahu that I take great exception to when he indicated that the word, 'reprehensible' was garbage talk. Reprehensible is a perfectly fine word. It's just an opinion, that this is unfortunate. Another word that the Speaker Emeritus used was that he felt this bill was misguided or misdirected.

"Our Member said, 'reprehensible', and I don't think any of those words that I've just said are garbage talk, and so I thought it was a very poor choice of words on his part. Thank you, Mr. Speaker."

The Chair then stated:

"Members, we've had a lot of discussion so the Chair is going to ask that anyone, from now on, submit written comments."

Representative Finnegan rose, stating:

"Mr. Speaker I didn't have a chance to speak on this bill and I would like some short comments in rebuttal. This would be my first time. Thank you, Mr. Speaker.

"This bill definitely concerns me because I do see it from the public safety issue from what people are saying from the outside in regard to responding to an emergency, and I think that this bill does not help the public in emergency situations. Having said that, I wanted to make sure that the Majority is fully aware that the construction and planning of shelters will stop, and the shelter in Maili will be brought to a standstill. You have accomplished what you wanted to accomplish. All who think you need this bill continue to work with that, these things will stop. If you want them, if you think that decision is the decision of things you want to prevent, those things are being prevented right now without taking the emergency powers away from the Governor.

"Mr. Speaker, this is a sad occasion for me, as much as possible. Even as the Minority Leader, I try to stay away from what I think is the politics of a situation, the negative term in which the public sees it. And by bringing up the Republicans in Congress, and by bringing up the Bush cuts in the housing arena, and by stating that this is what the Legislature is supposed to do, but the Governor went and didn't allow the Legislature to do this, it's moving on the road of a power grab or has that feeling, I would because that's what I'm feeling right now. And I would just want to boost the idea of staying outside of politics in the negative term and stick to what is best for the people of Hawaii. And I want to commend the former speaker for saying that."

Representative Sonson rose, stating:

"Just for clarification, and still in support. I apologize if someone heard me say that word, 'reprehensible' is garbage. I actually meant to say, and if I didn't say it, I meant that the word, 'stupid' was garbage talk. I think that's what I meant. If I misspoke, I apologize for those who heard me wrong. Thank you."

Representative Cabanilla rose, stating:

"I apologize Mr. Speaker, but I would like to speak."

Vice Speaker Chong:

"Written comments only please. We need to move on. It's 1:15. Would you like to insert written comments in support or against?"

Representative Cabanilla responded, stating:

"No, that's okay, Mr. Speaker."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations. When collaboration is possible, the outcome is that of this measure. It allows the Executive Branch to utilize their powers while being cognizant of the Legislative Branch and its process in also providing remedial assistance in times of disaster relief.

"The concerns that I have relate to ongoing projects which may be jeopardized or suspended, initiated by an Emergency Proclamation, but not completed by the Proclamation expiration date. Thank you, Mr. Speaker."

Representative Evans rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Evans' written remarks are as follows:

"Mr. Speaker, I'm in support and have some comments. From my own experience with a natural disaster in West Hawaii, I know how important the Governor's emergency proclamation is. In fact a wildfire came within 100 feet of homes and when the county called for an evacuation, there was only one way out of the community. In this instance the Governor chose not to declare an emergency and took the risk that another wildfire would not threaten Waikoloa. The community asked for an emergency proclamation; it did not happen.

"So what will this bill do? I believe the Legislature provides policy guidance. This bill will assist the Governor discern what is or is not an emergency. This bill does not, and I want to emphasize, does not keep the Governor from declaring an emergency. The authority remains with the Governor unless disaster relief could not otherwise be achieved through legislation enacted in the next occurring Regular Session of the Legislature or a Special Session of the Legislature called by the governor for the purpose of providing for the relief.

"Earlier in the Session there was a Floor debate in our House Chambers. The bill we are looking at today reflects the concerns mentioned. I believe they are good amendments which clearly sets policy on the remedying of periodic or longstanding societal inequities or circumstances that may arise over the course of time that could otherwise be contemplated and remedied through the enactment of law under the legislative process."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2828, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Third Reading by a vote of 35 ayes to 14 noes, with Representatives Belatti, Berg, Bertram, Cabanilla, Ching, Finnegan, Green, Marumoto, McKelvey, Meyer, Pine, Souki, Thielen and Ward voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1754-08) recommending that S.B. No. 2569, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1755-08) recommending that S.B. No. 3138, SD 1, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3138, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. With reservations. I believe that there is a DLNR report that is due later on this month, and in the interest of not wanting to expend more either resources or the Department's time or any other cost, that we take a look at that. It might be duplicative. Thank you."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in Strong Support of SB 3138, SD1, HD1, HSCR 1755.

"Mr. Speaker, this bill proposes to amend Act 6, SLH Special Session 2005, by requiring an interim report on the baseline environmental study of the Waianae Coast to be submitted to the 2008 Regular Session of the Legislature and the final report to the 2009 Regular Session; it appropriates moneys to the Department of Land and Natural Resources for continuing preparation for the study. I support this measure for several reasons.

"Mr. Speaker, to be perfectly frank, the purpose of this bill is to allocate more time for the DLNR to complete its baseline environmental study of the Waianae Coast. Previous testimony from those at the DLNR indicated that the final report would be completed by the end of the 2008 Regular Session. The Legislature has since learned that the completion of the final report is tentatively set for June of 2008 at the earliest. I applaud the Legislature for taking an initial response to concern regarding the future of the Waianae Coast, by enacting Act 6. In order to ensure that the study is done with the same attention to detail as proposed in Act 6, I urge the body to support this measure.

"Since the passing of Act 6, which requested a baseline environmental study of the Waianae Coast be conducted, local fishermen have grown to support this study and have aided in providing vital information to bring the study to a foregone conclusion. Unfortunately, this useful information has revealed relative gaps in crucial data, thus requiring additional research and testing to be administered.

"The results of a baseline environment study are of paramount concern to the communities along the Waianae Coast including the developing area of Kalaeloa, formerly known as Barber's Point. Kalaeloa is a community within my district that has marvelous plans to be a thriving place to live, work and play. This study will determine the future of Kalaeloa's smart growth.

"According to Act 6, in the 2005 Special Session, the Legislature "found it a matter of concern that along the Waianae coast, the growing population of west Oahu and the visitor industry are affecting the traditional uses of the area and are having cumulative economic, environmental, social, and cultural effects on the many communities along this coastline." The future of the Waianae Coast will be deeply impacted by population and subsequent economic growth.

"The significance of this study will determine appropriate action to both foster development of the area while implementing measures to ensure the vitality of our marine life and ocean resources. A study of this magnitude and importance certainly must not be rushed in order to meet an unrealistic deadline. Accordingly, I rise in strong support of the measure. Thank you, Mr. Speaker."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. An Ocean Resource Management Area has been established for all areas of Oahu except for the area listed in this bill: Kalaeloa Point to Kaena Point. Currently there are no guidelines or regulations. Boaters and jet skis operate dangerously near surfers, fisherman, dolphins and endangered sea turtles. This measure helps to move along the process providing the baseline environmental study for our ocean recreation on the Waianae Coast. Thank you Mr. Speaker."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3138, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WAIANAE COAST," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1756-08) recommending that S.B. No. 2198, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2198, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. This bill encourages the protection and preservation of land in the State by establishing a Land Conservation Incentives Tax Credit (Tax Credit).

"Specifically, this bill allows taxpayers to deduct 50 percent of the value of the interest in lands donated in perpetuity or sold in a bargain sale for conservation purposes to the State or a conservation agency; or 50 percent of the amount invested in the management of lands for conservation purposes under an agreement with a conservation purpose, up to $2,500,000, from their net income tax liability. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2198, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1757-08) recommending that S.B. No. 2421, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2421, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I just want to declare a potential conflict. The bank where my wife works is the trustee for Galbraith Trust, and my law partners are also beneficiaries of the Galbraith Trust," and the Chair ruled, "no conflict."

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 2421, S.D. 1, H.D. 2 which authorizes the Governor to acquire lands owned by the Galbraith Estate in Central Oahu. According to the "Report on a Request to Establish a Task Force to Study the Feasibility of Establishing a Freshwater Fishery at the Wahiawa Reservoir, Oahu," prepared by the Department of Land and Natural Resources in 2003, it is documented that Task Force participants, including our esteemed Finance Chair, identified the Galbraith Estate as a piece of property the Wahiawa community would like the State to purchase, as they see its potential for increased commercial activities, such as tours, guides and park expansions, all of which I believe do not fall under Galbraith Estate's zoned AG-2 requirements.

"The Task Force also made mention of transferring the Galbraith Estate lands to the Housing and Community Development Corporation of Hawaii (HCDCH at the time) in DBEDT in order to expand the park, also an inappropriate use. Our housing agencies should be focusing on the development and management of affordable housing and taking care of our homeless, not administering a park.

"I am also deeply disturbed with the 2002 Task Force report's repeated mention of the increased liability for the reservoir and dam that sit on the Galbraith Estate. At one point the report actually states that, "once the State acquires the dam, the maintenance responsibility will also be the State's and the State does not have the money to maintain or improve the dam." This was four years ago and nothing has changed to date. The Administration has repeatedly cited their concerns about the liability in every single bill this Legislature has seen proposing to purchase the Galbraith Estate.

"Recently the Agri-business Development Corporation (ADC) conducted a study on the liability issues of Lake Wilson and the Wahiawa Dam confirming that the safety and liability issues pointed out time after time still have yet to be addressed.

"In Finance this bill was amended to provide the Governor with the same powers and "tool kit" that the Legislature provided in the form SB 2423, H.D. 1; to protect and preserve culturally valuable property in and around the Turtle Bay Hotel and Resort for the Turtle Bay purchase.

"However the Galbraith Estate and the Turtle Bay property differ greatly in the respect that the Galbraith Estate is already zoned as AG lands and therefore already under protection for preservation. Turtle Bay, on the other hand, is zoned as development lands and we have actually seen the viable threats to this last piece of "Old Hawaii". As the Governor said in her sixth State-of-the-State Address earlier this year, this is "a once-in-a-generation chance to preserve both a lifestyle for thousands of residents, and a part of Hawai'i that millions the world over have come to love and identify as the real Hawai'i."

"Furthermore, the Department of Land and Natural Resources believe that this proposed acquisition should be subject to the scrutiny of the Legacy Lands Conservation Commission in order to ensure that it is compatible with the State's priorities for acquiring valuable lands as established under Chapter 173A, Hawaii Revised Statutes.

"The State cannot and is not in the position to be purchasing every single significant piece of property in our legislative districts. The Galbraith Estate is in the position where it can be acquired and preserved as the community wants by private owners and State intercession is not necessary.

"We need to exercise fiscal prudence and make sure that we choose wise investments for our taxpayers' dollars' futures. At this time, with our economic condition as it is and the outside factors that I previously mentioned, I must oppose this bill. Thank you. Mr. Speaker."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"Mr. Speaker, we should not consider acquiring Galbraith Estate lands until there is resolution in the courts on the distribution of assets to the Estate's beneficiaries. According to testimony, many people, including the beneficiaries, have questioned the management and administration of the Estate by its current trustees, including the previous sale of Galbraith Estate lands.

"According to county records, the estimated value of the Galbraith Estate is $100 million. DLNR has testified that they have concerns with the budgetary implications this bill will have on their budget. With our economy slowing, I don't believe this is the time to spend $100 million for this property that has serious liability problems. Mahalo."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of Senate Bill 2421 SD2, HD1. Mr. Speaker, this piece of legislation proposes to appropriate funds for the acquisition of land in Wahiawa, Oahu, currently owned by the George Galbraith Estate, or to acquire the property through outright purchase, cooperative agreement, or exercise the State's power of eminent domain.

"The Galbraith Estate is comprised of 2,100 acres of agricultural-zoned land. These lands are made up of 20 individual contiguous parcels next to Wahiawa near Lake Wilson and Schofield Barracks. This Estate has some of the best and most productive agricultural lands in the State. If the State can purchase and manage these lands, we will ensure that agriculture in Hawaii will increase in productivity.

"As development pressures and urban sprawl increase on Oahu, our local community has become increasingly concerned about land use, food self-sufficiency and security, natural resource depletion, and economic dependency on imported food and products. The people of Hawaii have agreed that agricultural preservation and self-sufficiency are important and embodied these values in our State Constitution in article XI, Section 3 saying that, and I quote, "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency and assure the availability of agriculturally suitable lands."

"Mr. Speaker, urban development continues to encroach on agriculture, the State has a responsibility to help protect valuable agricultural-zoned lands from development and to preserve it for future agricultural production. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2421, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Third Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

At 1:20 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2829, SD 2, HD 2
S.B. No. 2803, SD 1, HD 1
S.B. No. 3165, SD 2, HD 2
S.B. No. 2828, SD 2, HD 2
S.B. No. 2569, HD 1
S.B. No. 3138, SD 1, HD 1
S.B. No. 2198, SD 2, HD 2
S.B. No. 2421, SD 2, HD 1

At 1:20 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:22 o'clock p.m., with the Speaker presiding.

At this time the Chair announced:

"Members, at this time it is 3:23, and the Senate finished at 2:00. Let's try our best to finish by 5:30 for the next five pages."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1759-08) recommending that S.B. No. 2646, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2646, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I am rising to speak against Senate Bill 2646, Relating to Important Agricultural Lands. Mr. Speaker it is because of part three, and I believe that we're looking at HD 2, is not providing a specific percentage. This is a concern because any housing allowed in the agricultural land is a slippery slope toward housing development.

"Under the current draft, housing can be built for the farmers' families and employees, which makes a lot of sense. But once you put that land into residential, then you are really ending up with more of an urban approach to agricultural lands. There's no limit on the specific number of houses that can be built, and there should be a sum certain per acre to ensure open space and agricultural districts. I know there's a great deal of effort to move all ag matters forward. I just think we need to be careful in not creating any urbanization areas on these lands. So at this point, I'm a no."

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"I stand in opposition to SB 2646, SD2, HD2.

"The intent of this bill is to provide incentives and protections to establish and sustain viable agricultural operations on important agricultural lands, or "IAL," and provides for the designation of IAL's on public lands.

"This bill provides tax relief for rental income for agricultural leases only, not for agricultural income. Why should it cover only

lease income? In that sense, it targets the wrong activity, or at least too little of the income generation directly attributable to agricultural activity. It favors the large landowners over small farmers.

"Will leases for biofuel, or GMO crop production be included, meaning the State will be subsidizing those activities that may not produce food, or questionable GMO crops that can cross pollinate with valuable food crops we grow and want to keep pure?

"The provisions for farmer housing in this measure are too general. Extended family members can live on residences designated as IAL, something not allowed on regular agricultural lands.

"Part III allows residential housing on an unspecified percentage of lands deemed "important," which is contrary to our State's Constitutional charge to protect agricultural lands.

"The counties historically have been lax in defending the land use law and preventing rural sprawl on agricultural lands. Due to weak enforcement of agricultural land protection, farmland has been subject to the type of real estate speculation that drives up the price of land further out of reach for local residents and farmers. This measure will further weaken our protection of agricultural land and reduce public input.

"Additionally, SB 2646 repeals the tax credit for educational and training facilities at Ko Olina Resort and Makaha Resort for the benefit of the residents of the Wai`anae Coast.

"It is for these reasons that I stand in opposition of this measure."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. The purpose of this bill is to provide a comprehensive set of incentives to establish and sustain viable agricultural operations on lands designated as important agricultural lands (IALs). This bill, among other things:

(1) Excludes income from certain agricultural leases on lands designated as IALs from the income tax;

(2) Exempts income from certain agricultural leases on lands designated as IALs from the general excise tax (GET);

(3) Allows landowners who have designated their agricultural lands as IALs to construct residential dwellings for farmers, employees, and their families on the IALs, subject to certain conditions;

(4) Establishes an IAL Qualified Agricultural Cost Tax Credit (IAL Tax Credit) for qualified agricultural costs incurred by taxpayers, up to an unspecified maximum amount per year for each taxpayer;

(5) Authorizes the Chairperson of the Board of Agriculture to guarantee agricultural loans for agricultural projects located on IALs;

(6) Requires the Department of Agriculture (DOA) to include the water needs of IAL agricultural operations when developing the Water Use and Development Plan;

(7) Requires the priority processing of permit applications for agricultural processing facilities submitted by an agribusiness, where the majority of the agribusinesses' lands are designated as IALs; and

(8) Requires:

(A) DOA and Department of Land and Natural Resources (DLNR) to collaborate to identify and map public lands that should be designated as IALs;

(B) The Land Use Commission to designate these lands as IALS; and

(C) Management of such lands to be transferred to DOA.

"Thank you."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose in support of the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Mr. Speaker, I rise in strong support.

"Our agricultural lands are in trouble. More and more ag lands are being zoned to provide housing. Housing which is necessary, but comes at a cost to increased importation of mainland and foreign food stocks. This bill is a step in the right direction. In addition, the provisions included help to ensure these lands continue to be used for the purposes intended. Thank you, Mr. Speaker."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2646, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Berg, Hanohano, Morita, Shimabukuro and Thielen voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1762-08) recommending that S.B. No. 2055, SD 2, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2055, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1765-08) recommending that S.B. No. 711, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 711, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1768-08) recommending that S.B. No. 3103, SD 1, HD 1, as amended in HD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3103, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED SPECIES," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Thielen voting no, and Representatives Nakasone and Sagum being excused.

At 3:25 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:30 o'clock p.m.

Representative Tsuji, for the Committee on Agriculture presented a report (Stand. Com. Rep. No. 1769-08) recommending that S.B. No. 958, SD 1, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 958, SD 1, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

At this time, Representative Tsuji moved that S.B. No. 958, SD 1, HD 2, be recommitted to the Committee on Agriculture, seconded by Representative Brower.

The motion was put to vote by the Chair and carried, and S.B. No. 958, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO GENETICALLY MODIFIED ORGANISMS," was recommitted to the Committee on Agriculture, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1773-08) recommending that S.B. No. 1780, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 1780, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker I'm rising in opposition to this measure. This bill will move us in the opposite direction we need to go with collective bargaining. This bill would limit the duration of each collective bargaining unit to no longer than two years. When the bill was heard in Finance, not one testifier was in support of the legislation. If you look at the testimony from the Finance Committee, you can see that allowing the State to negotiate in multi-year contracts only benefits the State as a whole. But contracts for longer than two years would allow for labor stability and the ability to plan for long-term operations mandating a two-year duration for all public employee contracts would remove the parties flexibility in order to arrive at a mutually agreeable contract.

"Mr. Speaker, this is one of the few times I find myself agreeing with the unions. The Hawaii Firefighter Association testified against this bill because this measure usurps the ability of the employers to enter into mutually agreed terms with respect to the duration of the contract. I believe this bill is moving forward because of the multi-year contract the HSTA signed in 2007 with the State, and now they are trying to get rid of the drug testing requirement negotiated in their contracts. It appears that the Legislature is using this measure to get the HSTA out of a jam. I don't think we should use this bill to bail out one union because they negotiated poorly, and their members are not happy. Thank you, Mr. Speaker."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to Senate Bill 1780 HD 2. This measure places an onerous condition on the collective bargaining process between public employers and public employees bargaining units such that agreements could not be for longer than a period of two years.

"I really appreciate the attempt of the advocates to reassert authority of this branch of government in the collective bargaining process. In fact, in the Finance Committee I voted with reservations on this bill because at that time I was persuaded by the line of questioning of my colleagues to identify the extent of our authority to impact the collective bargaining process. However after more reflection and further review of the submitted testimony, I've come to the position of agreeing with the many opponents of this measure that this draft unnecessarily limits the flexibility in designing compensation and benefit packages in the course of collective bargaining negotiations. It is highly unusual to have a measure where both employers and public employee unions are in agreement in their vehement opposition to the bill. In light of this opposition and the reactive nature to impinge on collective bargaining negotiations, I am in opposition to this measure. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. The reason why on this particular measure you wouldn't receive supportive testimony from other than the employers and the unions is clear. Only the employers and the unions are involved in the collective bargaining process. The rest of the branches here at the Legislature and the respective County Councils are not involved in the collective bargaining of the contracts. We get handed a bill after the Executive branch or the Mayors settle these matters with respective bargaining units.

"For example the police recently sided with the counties and that's a four year contract. Similarly with the firefighters who settled with the counties and the State in the four year contract. And I believe this summer the teachers, as well as the University professors, the United Public Workers and the Hawaii Government Employees Association will be sitting down to discuss and settle with the respective Executive officers. So that's the reason why we didn't receive any supportive testimony from them.

"But the point of this bill Mr. Speaker, and the reason it is before this body, is perhaps as a tool to educate all of us. The State Constitution, Article VII, Section 11, reads as follows: 'All the appropriations for which the source is general obligation bond funds or general funds shall be for specified periods. No such appropriation shall be made for a period exceeding three years …'

"And that's the power of the purse that we have, but also the restriction so that we cannot bind the future Legislatures. And the reason this is appropriate right now, Mr. Speaker is that I don't want our public servants to be under the misguided belief that this Governor currently negotiating with them can enter into a multi-year binding biennial contract and force future Legislatures to pay on those contracts. Whether it be for four years or six years, there's no way we can bind future Legislatures.

"And in fact, I had a quick discussion with the head of the Office of Collective Bargaining and Managed Competition last night. She was frank enough to admit to me that there is a degree of uncertainty in this area. It is uncertain whether a partial funding by one Legislature is in fact, ratification of the terms and conditions of cost items within the collective bargaining contract and the arbitration award, so it binds future Legislatures. She suggested that I contact the Attorney General's Office.

"So that's where we are today, Mr. Speaker. But as far as I can read in the Constitution, we are limited in our powers and we are limited

in our appropriation powers, and we cannot bind any future Legislatures. So I just wanted to let everyone know that, and that the Administration should also know that, and keep that in mind when they sit down and bargain with our public workers. Thank you."

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 1780, S.D. 2, H.D. 2 which requires the public employer and the exclusive representative for each bargaining unit to include provisions in their respective collective bargaining agreement that provide for a duration not exceeding two years.

"I think the reasoning behind changing collective bargaining agreements to no more than two years does not really make sense. Many of my colleagues do not think we should allow our unions to negotiate for longer contracts because we do not know what fiscal implications it will have on our future budgets or because collective bargaining agreements expire every two years. However, if you look at HRS Section 89-10, a bargaining agreement shall expire on June 30th of “EVERY” odd number year.

"Collective bargaining is a dynamic process and it involves two parties playing a game of “give and take” in order for everybody to compromise on what is best for each group. If we take away that flexibility, then both negotiating parties may not achieve the best deal available.

"Some of my colleagues argue that long-term agreements could have a negative fiscal impact on our State budget, but if you look at collective bargaining agreements; they are much more than just money. Money is just one part. One of the benefits of long-term agreements are they allow each group to plan for the future and that allows for better agreements between the parties because not all of the concessions by negotiating parties are affected by budget constraints. The University of Hawaii Professional Assembly and the Hawaii Fire Fighters Association have both benefited from long term collective bargaining agreements that they would have not had if they were limited to only two year agreements.

"I urge my colleagues to vote “NO” on this measure. Thank you, Mr. Speaker."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please note my reservations. I guess there is a defective date. I hope that it will have more airing out there. There's some work to be done. I certainly don't remember this measure going to my Committee and it does impact labor. But I apologize for not catching it."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1780, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," passed Third Reading by a vote of 43 ayes to 6 noes, with Representatives Belatti, Finnegan, Marumoto, Meyer, Pine and Thielen voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1774-08) recommending that S.B. No. 2334, SD 2, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2334, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations.

"This bill would eliminate the ability of the Governor and the Director of Public Safety to appoint candidates of their choice to the First and Second Deputy positions in the Sheriffs Department. It is critical for the Sheriffs Department to work together as a unit. Therefore, I think it is important that the Governor and the Director of Public Safety have the ability to select those administrators that work well within the current system.

"I am also concerned with the requirement that the Deputy Director for Law Enforcement and Sheriff must be graduates of a law enforcement academy. Mr. Speaker, according to DHRD, this is an unusual requirement because past experience has shown that individuals without such training have been able to function satisfactorily in those positions.

"I support our law enforcement men and women and I want to make sure that the best qualified individual gets the job, but I have a problem with this measure as written. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2334, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Third Reading by a vote of 48 ayes to 1 no, with Representative Pine voting no, and Representatives Nakasone and Sagum being excused.

At 3:40 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2646, SD 2, HD 2
S.B. No. 2055, SD 2, HD 2
S.B. No. 711, HD 2
S.B. No. 3103, SD 1, HD 2
S.B. No. 1780, SD 2, HD 2
S.B. No. 2334, SD 2, HD 1

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1775-08) recommending that S.B. No. 2423, SD 2, HD 1, as amended in HD 2, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 2423, SD 2, HD 2, pass Third Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in support of SCR 1775-08, SB 2423 SD2 HD2 with strong reservations.

"As this body knows, this bill comports with the Governor's plan for the State to purchase Turtle Bay Resort as discussed during the Governor's State of the State Address. As an initial matter Mr. Speaker, I would like to applaud the Governor for this bold move and for her vision to preserve and protect some of the last remaining open

space along the North Shore. I also want to recognize and commend the many individuals who came before the Finance Committee to testify in support of this measure including Professor Denise Antollini from the Richardson School of Law, a former law professor of mine.

"My reservations, however Mr. Speaker, stem from three main reasons. The first being, priorities. It is our job to determine the priorities of government when funding projects. This becomes even more paramount when the State economy is slowing down.

"This bill allows the State to, among other things, issue General Obligation Bonds for the purchase of Turtle Bay. As this body knows, the State floats GO bonds to build schools. As my district has two of the four multi-tracked schools in the State and we cannot build schools fast enough because of budgetary constraints, I submit that many of my constituents strongly believe that building schools in the fastest growing district in the State is a higher priority than purchasing Turtle Bay.

"This bill would further allow the Governor to exercise the State's powers of eminent domain if an agreement to acquire Turtle Bay is not reached "in a reasonable time" as determined by the Governor. On this point, I refer to the testimony of Nicola Jones, CEO of Kuilima Resort Company, the owner of Turtle Bay Resort. Specifically, Ms. Jones states, "Kuilima cannot support any proposed legislation which suggests that the State of Hawaii acquire the Turtle Bay Resort by exercising the power of eminent domain, as such action would clearly interfere with Kuilima's vested legal rights." My reservations with this measure not only deal with priorities but deal with the fact that should this measure pass, and should the Governor exercise the State's power of eminent domain, we are inviting a potential lawsuit against the State for interfering with Kuilima's vested legal rights. That is not good public policy.

"Finally Mr. Speaker, my reservations stem not only from priorities and the potential of litigation from this bill, but from the Governor's Senior Policy Advisor who herself admitted that this is a complicated measure. In other words, this is not a simple land transaction involving a purchase of property by the State. Instead, there are many issues that will have to be addressed that preclude this from being a simple land transaction. For example, the bill states, "the land to be acquired shall include the unimproved lands that are not used for the hotel and resort proper or any appurtenant uses thereto, including but not limited to golf courses, stables, condominiums, parking areas, nurseries, and physical plant."

"What this means is that the purchase could include things such as the golf courses, stables, condos, parking areas, nurseries and physical plant which inevitably will lead to additional costs and subsequent issues for the State such as management agreements. Again I refer to the testimony of Ms. Jones, the CEO of Kuilima who states, "the governor and many others who have testified in support of this measure recognize the importance of maintaining the current Resort operations for employment, recreation opportunities, and the economic benefit to the region of the visitor draw. A VERY IMPORTANT ISSUE TO BEAR IN MIND IS THE COST, OVER AND ABOVE THE OPERATING INCOME, OF KEEPING THE RESORT GOING, INCLUDING THE COST OF NECESSARY CAPITAL IMPROVEMENTS AND DEBT SERVICE." (emphasis added).

"When I asked the Governor's Senior Policy Advisor in the Finance Committee hearing as to what the Administration envisioned for handling these issues, she acknowledged that this was a complicated bill because of these types of issues.

"Again Mr. Speaker, I support the intent of this bill, as well as my colleague from the 46th representative district, and particularly with all due respect to my colleague representing this district, but because I don't believe that purchasing Turtle Bay is a priority at this time, because I believe this bill could lead to litigation against the State, and because of the additional costs associated with the purchase of Turtle Bay, I must respectfully vote with reservations. Thank you, Mr. Speaker."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, on 1775, S.B. 2423, I would like a ruling on a potential conflict. At my law firm, I am representing the community that has sued Kuilima. Thank you," and the Chair ruled, "no conflict."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. On Stand. Com. Report 1775, I'm voting aye with some reservations. Mr. Speaker, I've represented the people of Punaluu and Hauula for 14 years, and the residents of Laie for eight years. I'm very aware of the years of public meetings that took place between Kuilima and the community, and they've work diligently to work out concessions with the developer that would benefit all the people in the area.

"The development at Kuilima, now known as Turtle Bay, was seen as a place were many North Shore residents could find a job and their children as well, living and working close to their homes. I am concerned that the resort as it exists today may have a difficult time staying solvent if they are not able to build at least one more hotel. My fears are backed by the fact that the last two operators have not done as well as they would like. It is a matter of economies of scale. Another hotel, I believe, would make the whole resort work. With our economy slowing down and fewer airplane seats available for tourists, as well as a downturn in the mainland's economy, this bill which allows for purchase by eminent domain may scare away potential hotel operators that the State would need to operate or purchase the improved resort properties if the sale goes through.

"With all that said, I believe this has the potential of being a real win-win and I'm very grateful that the Governor has put together the Turtle Bay Advisory Working Group, intelligent people bringing together a mix of experience and expertise who will serve the Governor well in her efforts to strike a balance in acquiring this revered property for the public's use, while still allowing the improved resort to flourish. Thank you, Mr. Speaker."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of Senate Bill 2423, SD2, HD1, Relating to Land Acquisition. Mr. Speaker, the purpose of this bill is to appropriate funds and authorize the Governor or the Governor's designee to acquire the area commonly known as Turtle Bay Hotel and Resort and the accompanying underdeveloped property.

"The Turtle Bay property includes about five miles of coastline, much of which is pristine and undeveloped and other large tracts that remain in their natural state. The property is also a critical piece in maintaining a rural character of the North Shore. Acquisition of the Turtle Bay property will protect this area and allow the community as a whole to shape its future.

"As most of us in this room are probably aware, the ownership of the Turtle Bay Resort property and hotel has changed hands several times since the 1970s. Currently, Oaktree Capital Management is the owner. Oaktree acquired the resort with all its 880 acres, including the Kuilima Estates West in 1998.

"Mr. Speaker, if the State fails to act now that the property is being foreclosed, it is possible for another developer to come along and build more resort units. This is a once in a generation chance to preserve both a lifestyle for thousands of residents, and a part of Hawaii that millions the world over have come to love and identify as the real Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Third Reading by a vote of 46 ayes to 3 noes, with Representatives Berg, Herkes and Wakai voting no, and with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1776-08) recommending that S.B. No. 3102, SD 2, as amended in HD 1, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3102, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1777-08) recommending that S.B. No. 3202, HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that S.B. No. 3202, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to Stand. Com. No. 1777. Mr. Speaker this bill proposes an amendment to the Constitution to extend the mandatory retirement age from 70 to 80 for justices and judges. Mr. Speaker, it's kind of like *déjà vu* all over again. It harkens back to what less than two years ago, the people of Hawaii overwhelmingly voted down. They didn't want this, and here we are, a stone's throw away, saying, 'Well we want that'.

"There was a debate historically in America regarding the Hamiltonians and the Jeffersonians. The Hamiltonians wanted to have the elites, and the learned, and the rich, and the smart, and the educated, telling the other people what to do. And Jefferson said, 'No. The common sense of the common people, for the common good is what we should be doing. Listen to the people, whether they're elected, or they're landed, or they're rich, or they're smart, or otherwise.' Mr. Speaker this bill flies directly in the face of that true belief in grassroots democracy.

"The people told us, 'We don't want to do this.' And now we're turning around and doing it. This is a slap in the face of the voters. In fact, it's an insult to their intelligence. The other issue is we're going to have another ballot about whether the age of the Governor should be put down to 25. That's going to confuse people. Put one age up, one age down. It's not going to be simple. The point is we've already gone through this. Been there, done that. And now we're recycling it and I, quite frankly, I think it's an insult to the people of Hawaii."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am speaking with reservations. But prior to that, I have a potential conflict of interest. I am at the awkward age where I'm called a 'senior citizen,' and the Chair ruled "no conflict."

"Thank you, very much. Mr. Speaker and Members, I believe the contents of the bill make it a good bill, but there are two things that I'm not in favor of. I know that they are trying to arrive at a compromise, but I believe with due respect to the Chairman, my Chairman and Members of the Committee who voted for it, including me, it's a poor compromise. And the fact that it's prospective and not to take care of the current judges, and there is a limitation on the age of 80.

"If we're truly concerned about fairness in terms of age limits, we would look at age discrimination. The federal government has no such thing. We have federal judges that are far beyond the age of 80, and still continuing to practice, as long as they have the mental capability to do so.

"So what makes us so different that we need to have an age barrier? In fact we who are proponents and honor affirmative action and non-discrimination continue to discriminate with the aged. In fact, as I recall, as a Member of the Constitutional Convention, there was an amendment in there that provides for the security and welfare and non-discriminatory practices for the aged.

"In fact Mr. Speaker and Members, I wrote that very amendment in 1978, so I have every interest in protecting that, especially now. For that matter, at some point in time, they're going to say, 'Joe Souki, you're past the age to be serving the House anymore. Here you are. You're of a certain age and you can't continue to serve as a legislator.' But the judge out there, who's probably younger than you will be able to serve.' It does provide a context of problems for someone even like me, and for those of you who may be so fortunate to reach the awkward age. So Mr. Speaker, with this, I vote in reservations. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Thank you for the previous speaker's comments and he's absolutely right that an age limit is discrimination. Any way you put it, it is discrimination. And we unfortunately, our Constitution does discriminate.

"However, what the Judiciary Committee did was amend the bill to make it prospective. So it's anti-IFL if you will, because the Governor, Governor Lingle, will be able to appoint judges that can serve until 80. And the current judges who were appointed prior to the effective date of this bill will have to retire at 70. Thank you."

Representative Lee rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. I'd just like to say that I think we should abolish the mandatory retirement age. Thank you."

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I vote with reservations and may I have the words of the speaker of Wailuku adopted as if they were my own? I want to also thank the Judiciary Chair. When the bill first came out, there were a lot of problems with it and he worked with the Committee to make this prospective which took the politics out of the issue. But I guess I have to heed the words of my 80-year-old mother weighed into it because, 'What? I'm not as cognizant as I was a year ago?'

"So I think if we're going to go ahead and do this, we should just not put a cap and just make it just like driver's licenses perhaps, and just test every year. Mahalo."

Representative Ward rose to respond, stating:

"Mr. Speaker very briefly. I'm glad the speaker from Waimanalo noted that it was conceived in ill will of the IFL-phobia, that was to

be against the Governor. It was prospective as a way of getting out of that. But the point is it was conceived in that, and the perception from the public is that this is something that they voted on and we changed our mind. But in effect what was initially ill-conceived is still living on. If we waited for another two, or three years, or four years, I think it would be understandable. Right now Mr. Speaker, it's a bit of a fresh open wound."

Representative Evans rose in support of the measure with reservations, and asked that the remarks of Representatives Souki and McKelvey be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations. I would like to have seen this measure take a closer look at the ability of justices instead of their age. Exams to ensure the competency of justices may be a better option. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3202, HD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE," passed Third Reading by a vote of 44 ayes to 5 noes, with Representatives Bertram, Cabanilla, Finnegan, Meyer and Ward voting no, and with Representatives Nakasone and Sagum being excused.

S.B. No. 3202, HD 1, passed Third Reading in the following form:

S.B. No. 3202, HD 1

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that in today's society, individuals are living longer, healthier lives, as evidenced by the growing number of older individuals throughout the United States and the world. The legislature further finds that a benefit of our aging society is the wisdom, experience, and skills that these older individuals possess, which should be both valued and respected, particularly in the workforce.

The legislature determines that the age restriction placed upon Hawaii's justices and judges, who are highly educated individuals who have served as learned members of the bar and now the bench, should be reconsidered. The wealth of knowledge and experience in interpreting Hawaii's laws that is retained by these individuals is invaluable to the residents of Hawaii.

The purpose of this Act is to propose an amendment to article VI, section 3, of the Constitution of the State of Hawaii to extend the mandatory retirement age for newly appointed state court justices and judges from seventy to eighty years of age.

SECTION 2. Article VI, section 3, of the Constitution of the State of Hawaii is amended to read as follows:

"**APPOINTMENT OF JUSTICES AND JUDGES**

Section 3. The governor, with the consent of the senate, shall fill a vacancy in the office of the chief justice, supreme court, intermediate appellate court and circuit courts, by appointing a person from a list of not less than four, and not more than six, nominees for the vacancy, presented to the governor by the judicial selection commission.

If the governor fails to make any appointment within thirty days of presentation, or within ten days of the senate's rejection of any previous appointment, the appointment shall be made by the judicial selection commission from the list with the consent of the senate. If the senate fails to reject any appointment within thirty days thereof, it shall be deemed to have given its consent to [~~such~~] the appointment. If the senate [~~shall reject~~] rejects any appointment, the governor shall make another appointment from the list within ten days thereof. The same appointment and consent procedure shall be followed until a valid appointment has been made, or failing this, the commission shall make the appointment from the list, without senate consent.

The chief justice, with the consent of the senate, shall fill a vacancy in the district courts by appointing a person from a list of not less than six nominees for the vacancy presented by the judicial selection commission. If the chief justice fails to make the appointment within thirty days of presentation, or within ten days of the senate's rejection of any previous appointment, the appointment shall be made by the judicial selection commission from the list with the consent of the senate. The senate shall hold a public hearing and vote on each appointment within thirty days of any appointment. If the senate fails to do so, the nomination shall be returned to the commission and the commission shall make the appointment from the list without senate consent. The chief justice shall appoint per diem district court judges as provided by law.

QUALIFICATIONS FOR APPOINTMENT

Justices and judges shall be residents and citizens of the State and of the United States, and licensed to practice law by the supreme court. A justice of the supreme court, a judge of the intermediate appellate court and a judge of the circuit court shall have been so licensed for a period of not less than ten years preceding nomination. A judge of the district court shall have been so licensed for a period of not less than five years preceding nomination.

No justice or judge shall, during the term of office, engage in the practice of law, or run for or hold any other office or position of profit under the United States, the State or its political subdivisions.

TENURE; RETIREMENT

The term of office of justices and judges of the supreme court, intermediate appellate court and circuit courts shall be ten years. Judges of district courts shall hold office for the periods as provided by law. At least six months prior to the expiration of a justice's or judge's term of office, every justice and judge shall petition the judicial selection commission to be retained in office or shall inform the commission of an intention to retire. If the judicial selection commission determines that the justice or judge should be retained in office, the commission shall renew the term of office of the justice or judge for the period provided by this section or by law.

Justices and judges shall be retired upon attaining the age of [~~seventy~~] eighty years[~~. They~~], with the exception of justices or judges first appointed prior to November 5, 2008, who shall be retired upon attaining the age of seventy years. Justices and judges shall be included in any retirement law of the State."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the mandatory retirement age for all state court justices and judges be extended from seventy to eighty years of age for those state court justices and judges appointed after November 4, 2008?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

At 3:53 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2423, SD 2, HD 2
S.B. No. 3102, SD 2, HD 1
S.B. No. 3202, HD 1

The Chair then announced:

"Members, please note the 10-day notice for Stand. Com. No. 1778-08 and S.B. No. 966 as listed on page 18."

At 3:53 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:53 o'clock p.m.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1778-08) recommending that S.B. No. 966, pass Third Reading.

In accordance with Article XVII, Section 3, of the Constitution of the State of Hawaii, consideration of Stand. Com. Rep. No. 1778-08 and S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," was deferred.

THIRD READING

S.B. No. 1961, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1961, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this bill.

"Mr. Speaker, while this bill appears to provide comprehensive measures for bail bond agents, sureties, and the bail bond process, it actually does not make any effort to consider and work with the existing HRS 804. According to the Attorney General, the provisions in this law are completely inconsistent with HRS 804.

"Bail is used to address the defendant's danger to the community and risk of flight and to assure the defendant's appearance in court. When a bail bond agent assists a defendant with a bond to obtain the defendant's release, the bail bond agent is taking responsibility for the defendant's appearance in court. The bail bond agent accepts the risk if the defendant does not show up in court. However, in this bill, provisions are being proposed to allow sureties to avoid responsibilities and this could have a detrimental impact on the criminal justice system. I am hoping that as this bill moves forward, the concerns of the Attorney General will be addressed in the Conference Draft version. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Likewise, I will be voting with reservations and if you would please allow me to express my reservations. The bill proposes to provide a comprehensive oversight and regulation of bail bond agents. It would establish procedures for the exoneration of bail bond agents, sureties from bond liabilities, and enforcement procedures for compensated sureties. The two affected agencies, the Attorney General and the Department of Commerce and Consumer Affairs, in particular the Insurance Division, are uneasy with the way this bill is drafted.

"The problems with the bill are as follows: It does not conform to the existing law, HRS 804; and it will detrimentally impact the criminal justice system by establishing a procedure for the exoneration of bail bond agents and sureties from bond liabilities and enforcement procedures. Under current law, bond sureties can avoid liability only if they make a showing of good cause why the bond should not be forfeited.

"Under this bill, some provisions of the bill will more easily allow bond sureties to get off the hook. Allowing this avoidance of liability is contrary to the whole purpose of allowing defendants to post bond and be released. They're supposed to take responsibility for criminal defendants when they post bond for the defendants. Bond sureties ensure that they will show up for all court appearances. By allowing sureties to slide away, they have less of an incentive to ensure that defendants make their court dates because under this measure, if criminal defendants don't show up for their court appearances, sureties will not suffer any loss. Let's keep them responsible. Do not allow this proposal to advance without amendments. Thank you."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 1961, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2400, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2400, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

At 3:57 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:58 o'clock p.m.

S.B. No. 945, HD 1:

Representative Caldwell moved that S.B. No. 945, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Green rose, stating:

"Thank you, Mr. Speaker. Forgive me for this is. Is this time that I ask for a re-referral? I make a motion for a re-referral."

The Chair responded, stating:

"I believe you are out of order at this point, Representative Green."

Representative Green: "I apologize Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I'm rising with serious concern about this bill and actually to ask the Members to take a look at this as to whether or not we should even move this forward.

"As I read Section 4 of the bill it states, in part: 'No legislator shall enter into any contract for services with any entity that receives any State funding.' Right off the bat Mr. Speaker, this means Representative Shimabukuro from Waianae, Makaha …"

Representative Takai: "Point of order, Mr. Speaker. I think Mr. Speaker you were going to cover it. Thank you."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, please confine your remarks and not mention the name of the elected official, but the district that they represent."

Representative Thielen continued, stating:

"Certainly, I'll mention them by the district. The Representative from District 45 who works for the Legal Aid Society, and Legal Aid Society receives money, State funding. Then we go on to the Representative from the 37th District, Waipahu, Mililani who I believe his occupation is social worker, and I believe in providing social work, some of those entities receiving State funding. Some I am not sure about, but that Representative would know himself. District 31, Moanalua Valley, Moanalua and Salt Lake, and the occupation is public relations consultant …"

Representative Yamane rose to a point of order, stating:

"Mr. Speaker, point of order. What is the purpose of naming the Representatives, as well as their profession?"

The Chair responded, stating:

"I believe the Representative is naming the district that Representatives are from and inferring that this particular measure may be affecting their livelihood."

At 4:01 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 4:05 o'clock p.m.

Representative Thielen continued, stating:

"Thank you, Mr. Speaker. I'll continue calling legislators by their district number. We also look at others that this measure could impact. In District 34, Newtown, Waiau and Pearl City; the Hawaii Army National Guard is funded with State money."

Representative Takai rose to a point of order, stating:

"Mr. Speaker, point of order. I believe the Representative from the Windward side is not correct on that. Federal law and State law allow me to serve in the Hawaii Army National Guard."

Representative Thielen: "I'm going to continue Mr. Speaker, because all of these legislators whom I am naming could be impacted by this bill, and I think this is something of which of the Members should be aware."

Speaker Say: "Representative Thielen, I think a lot of Members are aware of that, so would you like to submit it for the Journal?"

Representative Thielen: "No, I would not. I'd like to say it, Mr. Speaker. District 10, Lahaina, Kaanapali, Kapalua; Vice President, publishing and graphics firm, may or may not generate …"

Representative McKelvey rose, stating:

"Mr Speaker. Just to the edification of the Representative and my friend from the Windward side. I have no State business, no State contracts, never had it, never will."

Representative Thielen: "Okay, we'll cross him off."

Representative Yamane: "Point of order, Mr. Speaker."

Speaker Say: "Representative Yamane, at the point when she is finished, if she mentions any of you who are impacted by her statements, you will be given an opportunity to correct what she's stated for the record."

Representative Yamane: "But I'm not currently employed."

Speaker Say: "I realize that, but you can state that after she finishes her list."

Representative Thielen: "District 46, Schofield, Mokuleia, North Shore; electrical engineer and I would assume as electrical engineer, he does work on State projects. District 38, Mililani, Mililani Mauka; registered nurse, may or may not be working at a hospital that receives State funding. District 41, Waipahu, Village Park, Waikele; attorney and business man, may or may not be doing work with entities that receive State funding. District 6, North Kona, Keahou, Kailua-Kona; a physician who I believe is doing work for a hospital or hospitals that receive State funding. District 24, Manoa, the Majority Leader; attorney of which he's a partner does do work with Galbraith which may be receiving State funding if that bill goes ahead and through the Session. District 42, Waipahu, Honouliuli, Ewa; occupation, registered nurse, may or may not do nursing at a hospital or other place that receives State funding. District 11, Makena, Wailea, Kihei; Director, Greenways Maui nonprofit, may or may not receive State funding. District 18, Niu Valley, Aina Haina; educator and small business owner, may or may not do work with entities that receive State funding.

"I believe that I have picked out everyone that may be impacted by this bill, but now I would certainly welcome people standing up and saying, 'not me.' I'll reserve my remarks in closing after people indicate whether they are or not impacted by this."

Representative Green rose, stating:

"Mr. Speaker, is this the appropriate time? I said, re-referral. I meant recommittal. That was my intention in my previous statement. May I ask for a re-committal, Mr. Speaker?"

At this time, Representative Green moved that S.B. No. 945, HD 1, be recommitted to the Committee on Judiciary, seconded by Representative Sonson.

At this time, Representative Yamane requested a roll call vote at the appropriate time on the motion to recommit.

The request for a roll call vote was put to vote by the Chair and upon a show of hands, the roll call was approved.

Representative Green rose, stating:

"Point of personal privilege, Mr. Speaker. Mr. Speaker, I was confused. I was wondering if we would be discussing the motion, or am I incorrect."

The Chair responded, stating:

"You are incorrect at this time. The motion to recommit is just the motion to address the recommittal. I think we have the number of votes to have a roll call vote on the recommittal. If there is a discussion, it will be on the main motion which is not before us at this time. This is the motion to recommit."

Representative Green rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I stand in support of the motion to recommit. I'll try to be brief. The reason I believe this bill should be recommitted falls into two categories. One of which is that this bill, when it was passed from the Judiciary Committee, that the bill was not in its previous form. It wasn't about what it is now. That was my concern. I know we will take this up when we discuss the greater body of bills. I won't dwell on it, except to say that this was added on in the end.

"Specifically, I think that this bill, because we are a part-time Legislature, will negatively affect the ability for virtually all of us to participate in society in a productive way. I certainly have nothing against strong ethics laws, whether they were in their original forms, calling for drug testing or the other pieces of the bill. But we're here for four months basically of the year, and so many, in fact I'm sure the majority of us have other things that we have to do, in a small State there are very few other options.

"I'll take this up at much greater length if we discuss this matter for passage. But suffice it to say that in many places, there is nothing but government services that can be offered. And the current laws, as they stand, if you want to work for a government agency, you go through a rigorous process where the bill and information is posted."

Representative Caldwell rose to a point of order, stating:

"Point of order. I thing the speaker is straying into the merits of the main motion and not the recommittal."

Speaker Say: "Correct. But the Chair will allow him to finish up with his comments, since this is not the main motion before this body."

Representative Green: "Thank you Mr. Speaker, I apologize. I will just sum up because I think my comments are more pertinent to the main bill, and that I think that this current bill is going to do great damage to the ability for almost all of us to contribute to society, Mr. Speaker."

Representative Yamane rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I am standing in opposition to the recommittal. Mr. Speaker, the reason why I'm standing in opposition to this bill is that, we come here. We are here representing our constituents. We're held to a higher standard sometimes, that is fair and sometimes its unfair, Mr. Speaker.

"The issue of ethics is something that we've been trying to tackle for many years. I think there's some good pieces that I would hate to see die. Mr. Speaker, we get accused of being influenced by different entities from both people from this aisle, as well as those across the aisle, from those who are in our districts, or from special interest groups. Mr. Speaker this is a way of us that we are willing to work on our own House to address some of the concerns of people who feel that we may be influenced through the issue of employment or subsidy.

"Mr. Speaker, I ask Members to consider the fact that this is an ethics measure addressing openness, and I hope that people vote in opposition."

Representative Cabanilla rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, I rise in support of the recommittal. And the reason why I'm standing up in opposition is not because I don't believe in good government or clean government, but on this particular motion today I do not agree that the intent is good; that the intent is pure. But I perceive it as a clear intention for repercussion for the Members that vote and believe otherwise. I have communications that clearly made me feel that this is intended for me for a stance I believe in.

"When this bill came forward, although I know that the language is recent, I supported it because I believe in good government. And I have only spoken in these Chambers with total honesty in what I believe, disregarding who introduced the bill, or how they feel about it. And I have always believed that my colleagues will take me at my word because it's what I honestly believe in. But today, I feel I'm being punished for it and that's why I'm asking for recommittal and support for the recommittal because there are other ways to make good government. Good government can be with good intentions, and should not be disguised as clean and open when it is otherwise. Thank you, Members."

Representative Pine rose to speak in support of the motion to recommit, stating:

"In support of recommittal. I think in a bill that's about ethics, we should strive our hardest for the public to have the perception that we are being the utmost ethical. And recent developments, I guess behind the scenes and now have been made public, will give the public a perception that certain Representatives are being targeted because truly they would, by this bill not being recommitted and being passed, could possibly no longer have their jobs or keep their jobs as a legislator.

"So for the perception of the public who may think that something has been unethical in trying to pass this bill by targeting certain Representatives for retribution ..."

The Chair addressed Representative Pine, stating:

"Representative Pine, it is all Representatives. All those that may have contracts with State government."

Representative Pine continued, stating:

"All Representatives, especially those that work at hospitals would be targeted. So for that, I support the recommittal."

Representative Marumoto rose to speak in support of the motion to recommit, stating:

"Mr. Speaker, I am in favor of recommittal. I think that if we recommit this particular bill it would save us a lot of grief. The Majority was in Caucus for an hour and a half, an extraordinarily long time. I'm not privy what was discussed. Apparently it was the bill of which we would like to recommit. I think if do not recommit it and we vote on it, and discuss that, it might be quite divisive and maybe not a very pretty debate. I think we could get rid of the whole situation by recommitting the bill right now."

Representative Finnegan rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I am in favor of the recommittal. Mr. Speaker, the reason why I'm in favor for the recommittal is basically because of the timing of this issue. Looking at not having seen this language before and coming in at the last minute, as well as not being privy to a long Caucus of really debating this issue out, the goods and the bads. And hearing this for the first time with very open and listening ears, the timing of the issue, how it's come from what would probably be considered left field. And being that the Minority has basically, Session after Session, has been pushing for measures like this. Let's make good ethics laws that clarify conflicts of interest and all of these other things. So to be able to have a substantial piece

added to this ethics bill with virtually no real debate, is questionable to me, Mr. Speaker."

The Chair then stated:

"Thank you, very much. You will have that opportunity on the main motion, Representative Finnegan.

"For those who support the recommittal, say aye. For those who oppose …"

Representative Thielen rose, stating:

"Mr. Speaker, we're at a roll call."

Speaker Say: "Yes, and I'm stating the motion before the body, Representative Thielen. For those who support the recommittal, say aye. For those who oppose the motion to recommit, say nay. Madame Clerk, please call the roll."

Roll call having been approved, the motion that S.B. No. 945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," be recommitted to the Committee on Judiciary was put to vote by the Chair and failed to carry on the following show of ayes and noes:

Noes, 29: Awana, Brower, Caldwell, Chang, Chong, Evans, Har, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Takai, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Ayes, 19: Representatives Belatti, Berg, Bertram, Cabanilla, Ching, Finnegan, Green, Hanohano, Herkes, Marumoto, Meyer, Morita, Pine, Sonson, Souki, Takamine, Takumi, Thielen and Ward.

Excused, 3: Representatives Carroll, Nakasone and Sagum.

(Main Motion)

Representative Green rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I speak in opposition to the bill. Mr. Speaker, this bill is about ethics. Its title is ethics, Relating to Ethics, that is. In it original incarnation it was about requiring financial disclosures of justices and judges, and then it became a bill about drug testing. Both bills I supported. Then it became a bill about nepotism, again a piece I support. In the 11th hour without a hearing, meaningful or otherwise, sections were added, which I feel makes this bill untenable. In others makes this bill not just a bad bill, but much worse. It makes this bill, contrary to the title, an absolutely unethical abomination.

"Mr. Speaker the language of this bill right now, and I'm going to read a small section of the bill. It says that, 'No legislator, or business in which a legislator has a controlling interest shall enter into or seek to enter into a contract that's value is greater than $10,000.' And then it just briefly goes on to say that, no multiple contracts to exceed the $10,000 with any State agency or any body, corporate or public, instrumentality by the law.

"Mr. Speaker it's not contention with special interests, special interests that people can find out about, they can look into, had decided for whatever reason they have, that this section had to be added to the bill. And I'd like to explain what the effect of that is. The effect of that bill makes it impossible for me, a doctor who lives on the Big Island to work as a doctor at the Hawaii Health Systems Corporation hospitals if I intend to enter into a contract. It's good that we have ethics laws that prevent a conflict of interest. It is because we are here to represent all of the people and that's what we do. And that's obviously what I believe I do when I'm here. And then the rest of the year we go out to serve the people in our capacity as workers just like all the rest of them.

"In a single case here on the Big Island, all of the hospitals with one exception are public hospitals that are run in a quasi-governmental way by HHSC. We have a small part in their budget. Over the years, to be safe, I've asked you whether I have a conflict of interest many, many times, and it's always been ruled that I didn't have a conflict of interest. At your advice, and the advice of colleagues, I have pursued the advice of our legal counsel to make sure, and again they assured me in writing and whatnot, that I didn't have a conflict of interest because I was working as a contract doctor. To be sure again, I sought the opinion of the Attorney General because I never thought that I wanted to have any appearance of a conflict of interest. Again the Attorney General said that, 'As a doctor, you don't have a conflict of interest. You're just taking care of people.'

"Now this language. This language proposes to keep me and others in this Legislature, and I'm sure they'll speak up, from working in any capacity if there is a connection, corporate or with the State or any State agency, or body corporate or public instrumentality established by the law.

"Now Mr. Speaker, six or eight months ago I was doing a shift in the emergency department for the people of Pahala at Ka'u Hospital. After a five-day shift, which is about 120 hours, I learned that one of my colleagues was thrown from a horse, a 65-year old was thrown from a horse and broke a bone in his back. His name is Dr. Dow. He's a wonderful physician committed to the community, just like I try to be. There was no one else to get because all other doctors that would possibly be available, the other four doctors that help cover the hospital, live in California, or St. Louis, or couldn't be available.

"But I was there, I was not in the Legislature at the time so I didn't have an extra commitment, and Marilyn, the CEO of Ka'u Hospital, the Administrator said, 'Can you stay, because otherwise we have to shut down. Literally shut the hospital down because we would not have a doctor.' I was the only doctor available. And I agreed to stay. And for the work that I do, I'm obviously paid as a doctor to work in these hospitals. At the advice of the Attorney General, at the advice of legal counsel, at the advice of the Speaker's rostrum."

Representative Nishimoto rose to yield his time, and the Chair "so ordered."

Representative Green continued, stating:

"But under this bill, I would not have been available to take care of that patient if it was a conflict of interest. It was actually exactly the opposite. It was at the interest of working in that area where they had no doctor. A patient came in during that shift that was dying, as they always do and I did my best with the nurses that were working there to try to help our community. So in this example that I've just given you, what could possibly be the benefit? Unless I'm mistaken, the accusation is that by working with one of these hospitals that is partially State funded, I'm committing an act of either conflict of interest, or worse still, corruption. And I say that because it's addressing the notion that I'm getting special treatment, or any one of us would be getting special treatment if we also, when we're not here, had a contract to work with these agencies.

"I'm greatly disappointed that this is what we feel is necessary for an ethics standpoint because there are so many things that we can do that would augment the ethics laws. But all this does is prevent us from actually taking care of the people who are working for the people. As it currently stands, if a person wanted to get a contract, it would go through procurement and it would be posted; everyone would see it. I'm happy to tell everyone and anyone exactly what my contract shows. But this bill, whoever was behind the addition of that language, whoever it was. And as we know there have been very big controversies this legislative Session, so there's plenty of reason to believe people wouldn't like me to be working any longer and have to

choose my medical work over legislative work. And that could be very true of any number of us.

"But that language being added and not debated, not discussed, posted yes on the Web, that language only serves to prevent me at least in this case, and I'll allow other people on their own behalf, from doing what I love and doing what I do best, which is trying to practice medicine. And I defy anyone to see the sense, and I defy anyone to say that that was a fair process, or an appropriate process to dump that into the bill at the end.

"Mr. Speaker we have so many problems with people trusting us there is no doubt about it. But what I can say about this ethics bill is this would definitely serve the exact counterproductive agenda of an ethics bill in general. What this will do is make people wonder why on earth did we try to say that doctor can't work, or that nurse can't work. It doesn't make any sense. It was unethically passed, and I'm absolutely opposed to it, Mr. Speaker."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I am standing in support. Mr. Speaker I am one of those that would be affected by a measure like this, Mr. Speaker. It's not that I currently have a job as he did earlier. It's just that if I did try to work as a social worker, many of the jobs that I would apply for, or potentially qualify for would result in potentially being employed through a nonprofit or a pseudo-governmental agency. But Mr. Speaker, today I am standing in strong support of this measure.

"Mr. Speaker, if you look on MSN Encarta it describes ethics as, the noun version as, 'the study of moral standards and how they affect conduct.' And they describe conflict of interest as, 'a conflict between public and private interests of somebody in official position or conflict between a number of public positions.'

"Mr. Speaker, when I read this bill I immediately, probably selfishly thought, it was related to myself. I went and researched it and I questioned what was behind it. And then I began to think Mr. Speaker, about the people in my constituency, the issues I decided to run on. This bill doesn't say a name. It doesn’t say any profession here. There's no profession. It doesn't say a district or an entity. It doesn't say anything except the issue that we have been talking about for a number of years, about a code of conduct and ethics.

"I've heard a lot today that it was written about certain contracts and how certain people are affected. Well, I'm going to be affected. Today, some of you may know that I was temporarily employed at a federal agency and through a federal act called the Hatch Act, I had to choose in January of this year, between remaining a legislator or doing this new part-time job, which I enjoyed. It was a financial decision where I to had to choose, Mr. Speaker. And my commitment to the people of Hawaii to do what is right, regardless of the financial implications.

"In the federal government, I had no impact on their budget. I had no impact on anything that federal agency does, except that I was a State official as an employee. And so I was given a choice, and I chose to leave to prevent any question about impropriety or undue influence. So Mr. Speaker I stand today being affected by this, willing to take the sacrifice because I want to go back and tell my constituents and look at their faces and say, as a public servant, did I suffer to do this job? And the answer would be, absolutely yes."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, I'm rising in opposition to the main bill Mr. Speaker, because of this provision. And the prior speaker spoke just fine and said he had to make choices. But ask the people in Kona and that rural district over there, whether those patients want to give up their doctor because this bill is being passed by this Legislature.

"It's a whole different thing when you live in Mililani. I mean, you're in a pretty populated area. You have hospitals all around the place on this island. The Big Island doesn't. This is a punitive bill against a legislator who has worked for tort reform, and what this bill does it goes right in his face to say, 'Dr. Green, you no longer can practice medicine if you want to continue your work in the Legislature.'

"We do some pretty disgraceful things here, but this is about as low as we can get …"

Representative Waters rose to a point of order, stating:

"Point of order, Mr. Speaker. The speaker is out of order."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, can you confine your remarks and address the rostrum."

Representative Thielen: "I will look at you, Mr. Speaker. I'm sorry about that. I'm feeling very, more than disturbed that people in this Chamber will be so petty, so vindictive …"

Speaker Say: "Representative Thielen. You are out of order. Representative, you are out of order with the statement that you just made."

Representative Thielen: "I'm talking about the bill."

Speaker Say: "You are not talking about the bill. You are talking about motives, which is out of order. Please confine your remarks to the legislation that is before you."

Representative Thielen: "When I take a look at the impact that this bill can have, which is a fair way to say it, the impact hits one Member who gives to his community both through his medical services and his service in the Legislature. This bill is aimed to silence him. And Mr. Speaker, it is wrong. Thank you."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Thank you very much, Mr. Speaker. I vote with strong reservations only because I think this matter can be resolved, hopefully, in the Conference Committee. Mr. Speaker and Members, when I first ran in 1982, I was working for an anti-poverty program that received the majority of its funds from the federal government and it was covered by the Hatch Act. So I made a choice then of course, to run and not to remain with the agency. But I knew ahead of time what I was getting into and accordingly, I made a choice. I think for many of the Members here who are affected by this bill, they did not make the conscious choice.

"A previous speaker did make a choice. He found out that the Hatch Act and the Legislature were not compatible, and he had to choose one or the other. But for the majority of the Members they did not. They were not found in conflict prior to this language. Now they're potentially in conflict. And Members, you need to realize that, and you already realize, that when you're a legislator, you're a part-time legislator. You're also a part-time employee. Even in the private sector, nobody wants to hire you because they want somebody who's reliable for the whole year. Even if you're a lawyer or you're a realtor, you need to have very patient and compassionate partners who don't mind that you're going to be gone a lot of the time.

"So yes, we know all these things, but we choose. However we all have families, we all have responsibilities and we do have difficulties in meeting our personal budgets most of the time. So what I plead to you is, don't make it worse. Don't make it worse than we already have it. The problems that we have. And I think this bill certainly doesn't help us. Thank you very much."

The Chair then stated:

"Representative Ward, please. Representative Ward, can you confine your remarks since this has gone on for close to 25 minutes and I am going to end debate at 10 minutes to 5:00. Representative Ward, please proceed."

Representative Ward rose, stating:

"Mr. Speaker, you realize there was one hour of your Caucus that took up considerable debate time …"

The Chair addressed Representative Ward, stating:

"And we also had Members of the Majority Caucus waiting for the Minority Caucus earlier this morning that was about 15 to 20 minutes."

Representative Ward continued in opposition to the measure, stating:

"Fifteen minutes, verses an hour and 10 minutes. No difference. But let me be very brief because Mr. Speaker, what I wanted to say is that this is healthy that we're talking about ethics. I'm by the way, speaking against the bill.

"It's about ethics because we've always had this kind of under the table, under our breath and we kind of go through the motions. Somebody says, 'conflict of interest,' and without even thinking, automatically you say, 'no conflict'. This is the first time we really, substantially have addressed this issue. However Mr. Speaker, I think we're rather unethically trying to be ethical the way that we're going about this.

"For example if this only knocks out the livelihood of one individual, we have 17 lawyers here, we have one doctor and it's the one doctor who loses his $50 to $60 an hour job in the Emergency Room. Is that fair? Is that ethical? Why I'm saying that there's got to be a little bit more tweaking and a little bit more sophistication, a little bit more nuance of this bill is that this House Mr. Speaker, this year, created an Ethics Commission or Standards of Conduct and there's nothing that that body or that entity had done regarding this. We're all thrown this curve ball in the last two hours.

"Mr. Speaker, this bill should be re-referred to the Standards of Conduct Committee, the Committee that's supposed to be dealing with ethics who will have had processed it, who will have made it equitable, and not conceived what some of you have used the word, 'vindictive'. And I know you have ruled that word out of order, but if it's been conceived in unethical terms, we are unethical to vote for this bill that's called ethics. That's the point, Mr. Speaker. Thank you, for the time."

Representative Bertram rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker. I stand in opposition. The Hawaii State government is one of the largest employers per capita, as far as state governments, and so it does reach very far. This bill will reach far, as far as who it's going to affect, and especially the healthcare system is very much under the State control. So we really need to really think this thing through.

"So far, the processes that we followed in establishing whether or not they're going against ethics or not, people have approached the Ethics Commission directly and it seems to work. But we've heard others who have went and gone for a determination and they've either said, yes or no, and that seems to work fine. So I would suggest we continue with that.

"The other thing is that in part of this bill, they actually exempted current legislators and it shows the nepotism part of the bill. I would say that we should do that with this part of the bill as well, because as the speaker from Wailuku was saying, this is affecting the bill when they didn't have to make the decision before, and now they need to do it now. We should just exempt the people that would be affected by this bill at the present, and make it for future legislators. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. If you read the bill, there are two parts. One of them deals with nepotism, and the other deals with employees and legislators who get government contracts.

"I want to talk first about nepotism. I want to point to the testimony submitted by the Hawaii State Ethics Commission, Dan Mollway. I want to read in pertinent part: 'It has been the experience of the Hawaii State Ethics Commission that nepotism is unfortunately widespread in this State.' I've heard that the Lieutenant Governor has his wife working for him as his Executive Assistant making over $80,000 a year. Talk about motive. Is that why you are voting no?"

Representative Thielen rose, stating:

"I believe the speaker is out of order by calling a Member by name."

Representative Waters: "It was a rhetorical question."

The Chair responded, stating:

"He did not call a Member by name, Representative Thielen. It was the Lieutenant Governor that he made reference to. And we've always done that in the past as far as I've been Speaker of the House, in making reference to the Governor, Lieutenant Governor, all of our Congressional Delegation and others. So let him continue on with his remarks. Representative Meyer, yes?"

Representative Meyer rose, stating:

"Mr. Speaker. He's out of order when he comments across the aisle and says, 'Why are you voting like that?' We never do that. We never do that."

Speaker Say: "Representative Meyer you are out of order. Please proceed, Representative Waters."

Representative Waters continued, stating:

"Thank you. Continuing on with what Dan Mollway has written in his March 13th testimony. 'The question of nepotism has come up as long as I've been with the Hawaii State Ethics Commission since 1981. In the 1970s, the Legislature had rejected a nepotism statute suggested by the Hawaii State Ethics Commission. However from what I have seen, especially with the last few years regarding nepotism, I believe it is time for Hawaii to adopt a nepotism statute applicable to State officials and State employees.'

"And that's in fact what this bill does. It deals with not only the Legislature, but also the Governor, the Lieutenant Governor, the Board of Education, the Office of Hawaiian Affairs, State boards and commissions members and chairpersons. It also went as far as to deal with the county council, county mayors, and county prosecutors. Unfortunately I received another letter from the Ethics Commission saying that we can't legislate what the counties do. The counties, as far as ethics are concerned, they have to do themselves.

"In a second letter after we amended the bill to put in all the other State authorities, Dan Mollway writes on April 4, 'Again I would like to thank you for your efforts in progressing with the nepotism statute. However I believe it is important that such a statute apply to all State officials and State employees. Nepotism is wrong when done by

anybody, not just high ranking officials, but people in the State of Hawaii should have an equal opportunity to apply for State jobs.'

"You vote your conscious, up or down. Whatever happens to the bill, happens to the bill. But you have to answer to your own constituents after this.

"It's difficult to vote on bills that deal with ourselves. It's like the fox guarding the hen house for us. It really is. It's going to affect all of us starting with the first speaker who talked about all the people it will affect. And I know everyone of us who it will affect already think it was targeted toward them. But think about it, it affects every single one of us. It's hard to be a legislator. It's difficult. Part of the reason is because we have to give up our jobs. I gave up my job as a State employee to run for office, and I'll give up any contract that I may get with the State.

"I want to also point out that this takes effect on November 8 Members, so those of you who are in violation, you have time to correct it by November 8. I'm not saying you can't practice medicine or you can't practice law. You just can't get two State paychecks. That's all. You can't get two State paychecks. Even the appearance of impropriety is what's important here, and there is an appearance of impropriety in my mind when you do get State paychecks. So come November 8, if this bill passes, whoever is getting two State paychecks, cannot. Simple as that. Thank you."

At this time, the Chair stated:

"Members, there has been a lot of discussion on this particular measure. For those of you who would like to submit written comments, you may have the opportunity at this point."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support with reservations, and may I have the words of the speaker of Wailuku entered into the Journal as if they were my own, except for the part where he says, 'I.' Please put in, 'the Representative from Wailuku'. Thank you." (By reference only.)

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise with serious reservations to Senate Bill 945, House Draft 1.

"Both sections of this measure are fraught with problems and simply illustrate how difficult it is for legislators to craft laws that govern our own selves. As pointed out by the Chair of the Committee on Judiciary, the first section of this measure advances anti-nepotism provisions that have garnered support from the Executive Director of the Hawaii State Ethics Commission. What the Chair fails to point out, however, is that the Executive Director goes further and suggests that we adopt stronger language that would prohibit legislators, State officials, and State employees "from hiring or promoting any relative within the 4th degree of consanguinity or affinity, or recommending to any other State agency that such a relative be hired or promoted." The Chair also fails to point out that the measure as currently drafted would grandfather in certain employees and would not apply uniformly to all legislative employees. Uniform treatment and application of an anti-nepotism statute surely is the mark of a good ethics bill.

"The second section of this measure advances conflict of interest provisions that would impose a blanket prohibition over a legislator, or a business in which a legislator has a controlling interest, from entering into any contract exceeding $10,000 in any fiscal year for goods, services, or construction with any entity that receives State funding. This is a serious departure from the law as it currently stands which allows a state agency to contract for services in excess of $10,000 with a legislator or business in which a legislator has a controlling interest if the State agency follows a competitive sealed bidding process. The current law, in effect, recognizes and reasonably accommodates for a part-time Legislature whose Members' livelihoods may rely, in part, on working with state agencies.

"I believe that the public does not want us to wield the lawmaking process as a way to exact punishment or bestow favors on colleagues. Just as this body spent the 2007 interim session to deliberate and craft a rule that created the House's Committee on Standards of Conduct, I believe this body would be better served by revisiting these important ethics issues and crafting a more comprehensive and thoughtful measure to address these concerns."

Representative Morita rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise with serious reservations on this measure. I have no problem with the section dealing with nepotism, however, I do have concerns regarding Section 3 of this bill.

"Mr. Speaker, we are a citizen legislature which is suppose to represent a broad cross section of our communities. Some have dedicated their lives to public service in honorable professions such as educators, social workers, law enforcement, public health, etc. Their contributions in their areas of expertise should not abruptly end just because they choose to run for public office. Therefore, I believe our communities and the State of Hawaii would be better served if there were requirements of disclosure and issues of conflict were dealt with on a case by case basis."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition. We're all for nepotism, just not, not being able to hire a doctor."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition on this bill.

"Mr. Speaker, this bill was designed to fight nepotism in State government, but has morphed into a bill seen by many here in the Legislature as a personal attack on one legislator who decided to defy House leadership.

"This bill would prohibit certain State officials from employing immediate family members in their office, but it exempts current family members who are presently on the payroll. If we truly want to rid the State government of nepotism, this law should apply to everybody and not exempt those who already have their foot in the door.

"Under this bill, the legislator from Kona would not be able to practice medicine because he works for a State hospital and receives a contract worth more than $10,000 a year. Mr. Speaker, we are a part-time Legislature and most of us need to find jobs after Session. I do not think it is right to punish someone who was elected by the people for working with the state if they have the skills to do the work.

"I also don't understand the reasoning behind the $10,000 limit. Is a legislator who is awarded a contract of $9,000 more ethical than a person who was awarded a $10,000 contract? I believe this $10,000 limit was to punish a particular elected official. Mr. Speaker, I would characterize this bill as an unethical ethics bill."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Being that my comments on the re-committal does apply to this, can I have those comments in opposition to the bill, and additional written comments as well.

"Can I just make a correction in regard to the information about the LG and employing his wife. That is incorrect, and I did not want that to go unanswered. The LG does not employ his wife. It was a former Chief of Staff that is no longer there. It was his wife, and it was not $80,000."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of SB945 HD1.

"Mr. Speaker, SB945 HD1 prohibits State officials from employing or influencing the employment of immediate family members in positions under the official's jurisdiction. It further prohibits State agencies, body corporate, and public instrumentalities from entering into contracts valued at $10,000 or more per year with employees and legislators.

"This bill is an attempt to prevent conflicts of interest from jeopardizing the integrity of the Legislature. Since the Legislature is a part-time lawmaking body, it is through necessity that individual members have vested pecuniary interests outside of their civil duties. It becomes a sensitive matter of ethics when the two positions intersect and the civil duty influences the private interest in a net financial gain. This creates ulterior motives that may alter a legislative member's civil judgment.

"In order to bolster previous measures taken by the Hawaii State Ethics Commission to curb nepotism and financial conflicts of interest, this bill will force a legislator to prioritize civil and private interests and will provide further assistance upon making the decision as to which position best suits each individual's career objectives. This bill brings more personal accountability to the legislative body and effectively enhances the ethical framework set to protect the overall legislative process. For these reasons, I stand in strong support of this measure. Thank you, Mr. Speaker."

Representative Shimabukuro rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Thielen rose to respond, stating:

"Thank you. Mr. Speaker in opposition. No one is disagreeing with the nepotism bar; I think that's a very good idea. What I'm disagreeing to and many are disagreeing to is the fact that …"

Representative Caldwell rose to a point of order, stating:

"Mr. Speaker, point of order. You've asked for just written comments."

The Chair addressed Representative Thielen, stating:

"Representative Thielen, would you submit your written comments since a lot of the Members already ..."

Representative Thielen: "It's just another sentence."

Speaker Say: "Okay, one sentence."

Representative Thielen: "This bill will prevent a doctor in a rural area from continuing to serve patients on the Big Island and that is wrong."

Representative Sonson rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sonson's written remarks are as follows:

"This measure does not pass Sonson's Public Policy Analyzer Machine (SPPAM) test.

"The goal of SB 945 is to protect the common good, which may be defined as the common conditions that are important to the welfare of everyone.

"The tool: Punitive legislation prohibiting certain acts.

"The effect: Grandfathers existing nepotism and makes exceptions to the value of contracts in defining what is permitted employment for Legislators. It also appears to target certain members of the Caucus.

"The measure assumes that government officials are always unduly influenced by their personal state in an issue such that they are not able to deal with legislation impartially. Although I believe that conflicts of interest legislation is overdue, I cannot vote for SB 945 because I and a large segment of this legislative body have not had sufficient time to meaningfully study and discuss its contents. Moreover, there is sufficient evidence being advanced indicating that this measure was resurrected to its present form in order to target a member of our Caucus."

Representative Marumoto rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"In opposition to an unethical ethics bill.

"Heaven forbid that I vote against ethics, but this may be an unethical ethics bill. Although it may sound reasonable that a sitting legislator should not have a contract or work with the State for more than $10,000, one representative claims that the bill, if enacted, would not allow him to continue to work for a State hospital. In other words, his livelihood would be taken away. Though impossible to prove, he is also claiming that there are motives behind the bill that target him for his legislative actions favoring "tort reform".

"The nepotism portion of the bill grandfathers in current legislators, but the conflict section does not. It may also affect other legislators who work for state agencies or who have contracts with the State. It would adversely affect those who may lose income. This is a serious matter for a part time legislature where many members must work at least during the legislative interim.

"I would be certain that this bill will not pass in its present form, but because the damage it would do if passed unamended, I must vote no today. I look forward to voting again tomorrow."

Representative Ward rose in opposition to the measure, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my comments on this measure. I oppose Senate Bill 945, which attempts to provide

ethical reforms for our state government. Certain elements of this bill are sapient, and I applaud this body for addressing the problem of nepotism within the State government. However, I oppose this bill because of the amendment which would prohibit State officials, including members of this body, from entering into State contracts valued at ten-thousand dollars or more.

"While I believe that it is proper for this body to address conflicts of interest that can arise when members of the legislature in other capacities receive compensation from the State, this measure would prevent certain members of this body from maintaining their chosen careers outside of the legislature. Specifically, this bill falls unfairly on my colleagues who, as doctors or nurses, have dedicated their lives to the medical profession in our State. If this amendment becomes law, then these members will have to choose between their chosen profession and their desire to work for the people of our State in this Legislature, robbing our communities of either available medical professionals or their legislative representatives. Rural areas in our State, where medical care is sparse, would be critically affected.

"Frankly Mr. Speaker, this amendment seems to unfairly target certain members of this body and communicates to the public a sense of political bickering that will weaken the status of this body in the minds of our constituencies. This controversial measure is ill-timed and I believe that we should further refine this bill in order to provide sound ethical reform in our State government.

"In summary, while I approve of the intent of this measure to address ethical concerns in our government, this bill as amended will be counter to its stated goals and to the public's interest, and with this in mind, I offer my strong opposition to this bill as it is amended.

"Thank you for this opportunity to offer my comments on this measure."

The motion was put to vote by the Chair and carried, and S.B. No. 945, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ETHICS," passed Third Reading by a vote of 33 ayes to 15 noes, with Representatives Belatti, Berg, Bertram, Cabanilla, Ching, Finnegan, Green, Herkes, Marumoto, Meyer, Pine, Rhoads, Sonson, Thielen and Ward voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2840, SD 2, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2840, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2833, SD 1, HD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2833, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2365, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 2365, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

At 4:54 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 4:56 o'clock p.m.

At this time, the Chair stated:

"Before calling for the question, are there any Members who would like to submit written comments on Stand. Com. Nos. 1703, 1705 and 1706? If not, Representative Blake Oshiro. Representative Ward, for what purpose do you rise?"

Representative Ward rose, stating:

"Mr. Speaker, please. Because there was not even time to speak on Stand. Com. No. 1706. You said you were calling for written comments. When you had a recess there wasn't anyone going to speak …"

Speaker Say: "Your Minority Leader asked me to state the Stand. Com. Rep. No. which I did, and that's why I'm saying now, are there any written comments, for or against, each of the three measures that have followed after Stand. Com. Rep. No. 1702. The Chair will allow you to submit written comments."

Representative Ward: "So there is no speaking comments?"

Speaker Say: "At this point, we would like to move on so you can get back to your families and your work."

Representative Ward: "Mr. Speaker this is the people's House."

Speaker Say: "Okay, if you want to speak, the Chair will allow you. You can speak, go right ahead."

Representative Ward: "That's why we are here right? We don't get paid by the hour. We get paid by salary."

Speaker Say: "Go right ahead."

Representative Ward: "Mr. Speaker, Stand. Com. Rep. No. 1706 is about the cost of living and it's about increasing and making Hawaii less and less competitive."

Representative Takai rose to a point of order, stating:

"Mr. Speaker, point of order. For what purpose is the speaker rising?"

Speaker Say: "He's speaking in support of Stand. Com. 1706, with reservations."

Representative Ward: "I'm speaking in opposition to this bill."

Speaker Say: "In opposition, excuse me."

Representative Ward: "I have two reasons to speak in opposition. Number one, is it's timing, Mr. Speaker. Anyone who is conscious knows that we have been given a severe blow by the Aloha Airlines and the ATA bankruptcies. It is not the time to put pressure on our tourist industry to the possibility of losing 500,000 tourists. To increase by $1 which this bill does, the amount of the rental car tax, it's already $3, and this would add another dollar to it, I think it's very untimely to do that.

"And secondly Mr. Speaker, it is premature to pass this bill. The car industry is divided by it. There is not a consensus as to what they should do. It's going to be very expensive in the hundreds of millions of dollars, and to do it as something half baked is going to be a mistake. For those reasons Mr. Speaker, I appreciate your indulgence, but those are the reasons why this is not a good bill. Thank you."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 2365, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 40 ayes to 8 noes, with Representatives Brower, Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

At 5:00 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 1961, SD 1, HD 1
S.B. No. 2400, SD 1, HD 1
S.B. No. 945, HD 1
S.B. No. 2840, SD 2, HD 1
S.B. No. 2833, SD 1, HD 1
S.B. No. 2365, SD 1, HD 1

S.B. No. 2879, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 2879, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am with reservations on Stand. Com. No. 1707, dealing with the DOE, SPED and transfer of rights. Mr. Speaker, I tried to really look at this bill and see what it was trying to accomplish. I reviewed the information and testimony and was still a little confused about the issue. I didn't have a chance to ask the DOE in their testimony to look for explanation, as well as some questions and general information. So I'll reserve my final vote till later. Thank you."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 2879, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2342, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 2342, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am standing with small reservations on this, and it's only because I believe that the audit should be extended to the prisons here in Hawaii. The prisons in Hawaii are filled beyond capacity. I remember being in the Legislature when we went under a consent decree, and we were close to going in debt and that direction. I believe that to great extent, the prisons in Hawaii are in worse condition, where you have three to a cell in many cases, according to those in a prison. Not that I would want the prisoners to be sent the mainland. I think family visitations are very, very important.

"I think all the prisoners on the mainland should be back here in Hawaii and I think that both the Legislature and the Governor are both at fault for not providing enough prison space. And I'm not blaming anyone, but here we are. We're looking at purchasing with the bill that is to come, or maybe it's passed already, some land on the North Shore. Buying the property there. Of course we know we don't have the money, but we're looking at it as a plan and to work with the Governor in doing it, but we're doing nothing for the prison. Thank you very much, Mr. Speaker."

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition. I think this was a well-intended bill, however sitting on the Finance Committee I've been hearing the darkest of stories that things will be getting worse for us financially. The Department of Public Safety is already conducting quarterly contractual audits of these private prison facilities using subject matter experts from various divisions and branches. Further, if a problem is discovered, a detailed deficiency notice on all non-compliant contractual items is issued to the respective facility and a plan of corrective action is provided to the Department within 30 days of the deficiency notice.

"I'm just trying to find ways to save money since the Department is already doing something of an audit more than once a year, quarterly in fact, that maybe we can instead of doing a whole other audit, find a way where we can be more involved with the audit that is already being paid for by another Department."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 2342, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AUDITOR," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Ching and Pine voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 2915, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 2915, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"This bill seeks to guide policy and prioritize research for the protection of taro by establishing the Taro Security and Purity Task Force and appropriating an unspecified amount for this purpose.

"The public testimony reflected support for this Task Force to ensure the continuation of dialogue that started last year between various interested parties. SB 2915 would provide funds for stakeholders to carry on where they left off in 2007 and hopefully find mutual solutions to the growing list of ideas, concerns and threats associated with the culture and cultivation of taro, including but not limited to: taro education and training opportunities; maximizing business viability and success for growers; preserving the cultural legacy of taro farming; providing reduced lease rents for taro farmers on state-leased lands through DLNR; and taro research and outreach for the control and eradication of apple snails. The amendment to designate OHA instead of DOA as the expending agency came from taro growers wanting the Task Force to be in a culturally based agency.

"With all the divisiveness that surrounded SB 958, SB 2915 may be the vehicle to bridge the many sides of the taro issue in a more cordial and constructive fashion."

Representative Tokioka rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with reservations, and quick comments. In the bill it talks about the Molokai varietal as being the oldest in the State, and I believe that scientific evidence states that Kauai is the oldest varietal of taro. And to that extent, if we're going to fund the Molokai varietal, I would also like to suggest we fund the Kauai varietal. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 2915, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING

TO TARO," passed Third Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 1311, HD 1:

Representative Caldwell moved that S.B. No. 1311, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"Mr. Speaker, on Stand. Com. No. 1710, just in opposition of this measure, just because of the loop hole. Basically it would allow us to not pay the salary of an officer and an employee that would prohibit another State employee below them, from communicating with any Member of the Legislature.

"My problem with this bill is what if you have a disgruntled employee that just wants to do anything and everything against the people above them? And so they can go ahead and give perhaps maybe even falsehoods about the department's position, or even incorrect information about a particular situation. Yet that employee is not punished, but the department head who knows for a fact that information is false and wants to prevent that employee from getting revenge, we're going to punish that department head. So for that reason, I vote in opposition."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like a no vote with similar concerns."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support and just a couple of points. First of all, this measure will prohibit the use of any appropriation for a payment of salaries of State employees who coerce, intimidate or otherwise prevent subordinates from sharing information at legislative hearings or in response to the legislative inquiries. This bill is to address the situations in which the Legislature requests basic information for employees, basic facts and figures, and are denied or delayed because of internal polices that direct employees to forward all legislative requests or inquiries to the director's office or the Governor's Office.

"The bill before us, the draft before us, addresses the concerns raised by the Attorney General in qualifying, that we're basically taking the same language using HRS 78-9, the Civil Service Code under the Failure to Appear or Testify; Termination of Employment provision. This approach would allow the person the right to refuse to testify or provide an answer, if there is a right to do so such as attorney-client privilege, confidentiality, on-going investigation, disciplinary action, or other right by law to refuse to answer legislative inquiry.

"The reason for this measure is obvious. Since last year, there have been concerns that employees are being gagged and threatened by the directors and their managers from responding to legislators' requests. This is more than talking about the Hydrogen Fund; more than talking about Superferry and the discussions that the Department of Health, OEQC; more than about trade missions. But in general, more about trusted civil servants responding to legislative requests for information.

"As a final example Mr. Speaker, at this very hearing in the Finance Committee, it was interesting that we heard a bill regarding NELHA, the Natural Energy Laboratory of Hawaii Authority to provide the ability of NELHA's Executive Director to report directly to the Legislature in Senate Bill 1793. And the Executive Director was there in the audience seated before the Committee. It was interesting because my colleague from Hawaii Kai was astute enough to ask him to the table and say, 'Hey Director, are you here to testify and comment on this measure regarding your agency?' And the Executive Director was honest enough to say no, that he couldn't testify because his testimony was not approved. He was prohibited from testifying. So that goes to the heart of the issue that this measure would address.

"So Mr. Speaker, I think the concerns that have been raised regarding Executive privilege or separation of powers have been addressed in the measure. And basically, the facts and figures, the data projections are neither classified nor privilege. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I wasn't going to speak on this and just vote no, but I think I'll give the other side of the story. I rise in opposition. I think what the previous speaker said is well said, except for one thing and that was there were other people testifying who said, and these were directors, anybody, literally anybody can testify before the Legislature as long as they're not saying this is policy of the department. If they are speaking as individuals, let them go. This is a free country. There's freedom. But if one member of a board or a commission or of a department comes in and says this is the way things are with our department, those department heads said, 'No, That’s a no-no.'

"So I think we have to nuance the perception a bit here that nobody is being squelched. There is a chain of command. There is an Executive Order. There's orderliness. There's systemization in government. And to the degree that that is maintained, this bill is conceived in a suspicion if you will, it's not a 'get Lingle' necessarily, it's not a fear of her. It's fear of some of the people beneath her who are being squelched. And as the previous speaker said, if there's someone who's trying to do something on a vindictive basis, or as a way of something that is not necessarily true, this is a vehicle by which we say, 'Hey, we're all open, and with open ears.'

"All of us have open doors, Mr. Speaker. All of us have open ears, but I think this one goes above and beyond what otherwise we should just expect."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. When I see these kinds of measures, I mean I understand what you're trying to accomplish, and the best way I can explain why I'm in opposition to this is, if I were to ask you Mr. Speaker, do I have complete access to anybody that's employed in the House? If I were to come to your Chief of Staff or someone like that and say, 'Hey, you know what? I need to make a decision on this therefore I would like for you to give me information on this.' I would expect that that person would have to come to you and say, 'Mr. Speaker, is this okay? The people under you should have the same kind of message that you have, or at least be able to control some kind of discussion in regard to that.

"We in the Minority don't necessarily have the ability to go to the Finance staff and ask them without the permission of the Finance Chair, what's going on in a bill. And I guess that you guys are doing that for a reason. And if you can explain why that reason is so, then that would be the same reason why the Governor would like some kind of ability, and the directors, because they're accountable. They're accountable for their departments.

"So Mr. Speaker, when we are available to go into somebody else's office in the Majority and say, 'I want this information and you don't have to tell your boss,' then I think that we would have a reason to do this to the Governor's Administration. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this bill. Just to the fact that you read the short description. It says, 'it assists the Legislature with fact-finding and promotes complete and truthful disclosure by prohibiting the payment of salaries.' Whose salaries? The salaries of, 'a State employee who was alleged to have coerced and intimidated or otherwise prevented a subordinate from sharing information at legislative hearings or in a response to other legislative inquires.'

"This is a super heavy-handed bill. It adds a new section to the law in Chapter 37. This bill, just the way it is written could create so much mischief. It's hard to even imagine. Any disgruntled employee at any department across the State who has a beef with their boss could make a claim and I think the AG's office would just be busy, busy, busy all the time. In the State you have bureaucrats that have been there forever. They served through one Governor after another. They right now, probably very few of them share the same party philosophy. There's a lot of room for mischief here and I think this should be rethought.

"You have a couple of disgruntled people or some few people that have made some claims and now you're going to add this whole new section in the law which says, 'Director of the Department of Human Services, you will not get your salary now because one of you employees claimed you coerced them.' That's pretty scary, I think. Thank you, Mr. Speaker."

Representative Herkes rose to speak in support of the measure, stating:

"In support. I just want to correct a comment that the Chairman of Finance made in regard to NELHA where he said that the bill in question called for the Director of NELHA to report to the Legislature. No, the Director of NELHA is to report to the Governor. Just a correction."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I'd like to be very brief. I actually believe that this bill has been around for several years, and I sort of infer that the genesis of this came back in the 2005 Session. At that time what we had was that there was a bill that was going to basically dismantle the State Water Commission.

"I specifically remember and will refer to a *Star-Bulletin* article dated February 12, 2005, where the Deputy Director of the Commission was basically forced to prepare testimony that supported the dismantling of the Commission. She didn't, and so in essence, what she had to do was resign. I think this story was really the genesis; where we found out that certain employees are being directed to do things that they don't necessarily believe. And if they don't, their choice is to resign or be reprimanded. I don't think that's appropriate, and that's what this bill is about. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 1311, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SALARY PAYMENTS," passed Third Reading by a vote of 41 ayes to 7 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

S.B. No. 409, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 409, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in opposition to Senate Bill 409, House Draft 1. This measure mandates health insurance providers to include in their policies coverage for medical surveillance services.

"First, I oppose this measure for procedural reasons. This measure should have received hearings in the Committees on Health and on Consumer Protection and Commerce that have purview over the subject matter of this measure. It concerns me that this bill needed to be re-referred three times and in two of the three times the measure was re-referred, a Committee and the Members of this House were stripped of their ability to vet the proposed policy in this measure.

"Second, while I appreciate that the Committee on Finance amended this measure to clarify that it mandates a service and not a specific product and has added the provision that a patient's treating physician would be required to order the application of medical surveillance services, the adoption of this measure, at this time, is still flawed.

"Many testified in opposition to this measure, including the Chamber of Commerce of Hawaii, Hawaii Association of Health Plans, Healthcare Association of Hawaii, Kaiser Permanente Hawaii, and Hawaii Medical Service Association. Kaiser Permanente's testimony was particularly persuasive in where it was explained that legislative mandates of health care coverage "tend to raise the cost of delivering health care," "tend to dictate how medicine should be practiced, which sometimes results in medicine that is not evidence based and usurps the role and expertise of the practicing physician and other health care professionals," and "lock in statutory requirements that become outdated and do not keep pace with the ever evolving and advancing fields of medicine and medical technology."

"In light of these concerns, I remain opposed to this measure. Further discussion among Members and a study, as described by HRS Sections 23-51 and 23-52 and conducted by the Auditor, to assess both the social and financial impacts of mandating medical surveillance services may demonstrate the necessity for this measure. Without this discussion and without the Auditor's study at this time, I am unable to support this measure."

Representative Lee rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Given the dire straits of our hospitals and the rising cost of health care, the proposal (SB409 SD2) to make medical vigilance systems a mandatory covered service by insurance is hard to understand. It is one of those bills that defy explanation. I figured that the yearly cost of such beds for the 50 acute patients at Wahiawa General Hospital would be about $327,600 a year. Just think of how many hours of nursing care that would buy!

"In Committee, Hoana failed to mention how much the company would be making from this law and failed to give any criteria for the use of the bed. They were unable to identify any studies that show decreased mortality resulting from the use of the bed. There were no suggestions about who would use this bed and an implication all patients need it. Justification given for the bed use was nursing shortages on medical surgical units. There is not as severe a shortage on non-specialty units, just a reluctance of hospitals to hire more staff because of the declining fiscal situation. Note: This bed does not tell you if the patient has poor color, has pain, is slurring speech, is injuring himself in some way, is lying in a pool of excretions or has paralysis of an extremity – all important indicators of patient condition. It could be a useful adjunct in some situations but without criteria, who decides who needs it?

"In my opinion, based on 35 years of nursing experience, the use of this bed is an unnecessary expense and actually might lead to less

human attention being given to patients. When a patient needs special monitoring, it should be a result of doctor's orders or nursing assessment, not a judgment by a vendor who makes money from it.

"For this reason, I vote with reservations. Thank you for the opportunity to comment."

The motion was put to vote by the Chair and carried, and S.B. No. 409, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Third Reading by a vote of 46 ayes to 2 noes, with Representatives Belatti and McKelvey voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

At 5:19 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2879, SD 2, HD 1
S.B. No. 2342, SD 2, HD 1
S.B. No. 2915, SD 2, HD 1
S.B. No. 1311, HD 1
S.B. No. 409, SD 2, HD 1

S.B. No. 2294, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 2294, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising to speak with serious reservations on this, but I will be voting in favor of the bill. It's Senate Bill 2294, Relating to Kaka'ako. Mr. Speaker what this bill will do is prevent a developer from building affordable housing outside of the Kaka'ako area, and I support that provision. What the bill will not do is provide more affordable housing in Kaka'ako. And the reason it will not provide more affordable housing in Kaka'ako is that it's taking the 20 percent requirement and increasing it to 25 percent.

"At 20 percent, the major land owner has been struggling to make that work and at this point, still has not been able to make that pencil out. I think you know that housing markets are in a tailspin. We all know that. Home loans are difficult to obtain. Prices are down. Sales are down, but construction costs are higher, which makes it more difficult to build. A developer's risk, given all those factors is significantly higher. Once you increase the affordable housing percentage requirement from 20 to 25 percent you just magnify all of the above negative problems that a developer would have.

"Kaka'ako is the only place on Oahu with a statutory affordable housing requirement, Mr. Speaker. The City and County of Honolulu has a 30 percent affordable housing rule, but it's a rule, it's a policy, it's a regulation. It's not an ordinance. And it only applies when there's a request in zoning change. It's historically been applied only when abandoned agricultural lands are up-zoned to urban uses. And it's a flexible policy. The policy in this bill, Senate Bill 2294, is not flexible.

"The main thing also, is that this bill will hurt a possible real-life sciences project. Kamehameha Schools had made a commitment and said that it would cooperate and put in a life sciences project, and we would cover it with the 20 percent affordable housing requirement on it's mauka properties in Kaka'ako. If that affordable housing requirement increases, Kamehameha Schools may have or will have a more difficult time undertaking the life sciences project.

"Now some of us were recipients of a lobbying effort by, I believe it's Ken Matsuura and another person, who came with charts to show us that the landlords could profit with the 25 percent affordable housing requirement. I've been informed that those charts are based upon inaccurate suppositions. The building costs are significantly understated which of course, would result in the incorrect conclusion that there are excess developer profits with a 25 percent affordable housing requirement. Construction costs more realistically are $100 to $150 greater per square foot than cited, and that would reduce a developer's return from $41 million profit, to something between a $6 million profit to an $11 million loss. You're not going to find a developer stepping in with that kind of a scenario.

"So while I agree that they must build more affordable housing and that we need it in the Kaka'ako area, and that a developer of those lands should not be able to build it outside of Kaka'ako, I think it lacks good common sense to say, 'Well, we haven't been able to do it at 20 percent so we'll increase the percentage to 25 percent.' That's just naive thinking. Thank you, Mr. Speaker."

Representative Finnegan rose in support of the measure with reservations, and asked that the remarks of Representative Thielen be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Aloha Speaker Say and fellow colleagues. I rise in support of this measure.

"No one in Hawaii would argue the fact that housing prices in Hawaii are among the highest in the nation or that many of our residents are unable to afford a home of their own.

"We keep discussing and creating taskforces to find a resolution to this problem, however, it is apparent that government legislation is necessary if we are to achieve what most would agree is a critical goal, to provide affordable housing for the people of the State of Hawaii.

"This bill increases the reserved housing requirement for a major development on a lot of at least one acre in the Kakaako community development district of Honolulu. The measure also requires increases to at least twenty five per cent of the floor area to be constructed and made available as reserved housing units for low and moderate income families.

"The measure also provides a developer of reserved housing incentives and credits to encourage the private sector to develop much needed housing to make Kakaako a liveable community where residents live, work, shop and find recreation.

"The Kakaako Community Development District is envisioned as a mixed-use community of residential, commercial, industrial, and public use. Kakaako is also one of the last areas in the urban core where significant numbers of residential units can be built.

"This measure, which would allow the developers to build vertically, would enable the developer to lower the cost, providing the financial incentive needed to encourage affordable housing while simultaneously allowing for more open space.

"An additional aspect of this measure is the requirement that development in this district is compatible with plans for special districts established for the Hawaii Capitol District and other areas surrounding the Kakaako District to ensure that historic sites and culturally significant facilities, settings or locations are preserved."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just with regard to the question about whether an affordable housing project in Kaka'ako would be profitable or not, this bill asks for 25 percent of the total floor space,

whereas there are developers who have built 100 percent affordable housing complexes such as 215 North King Street and I'm assuming they made some money. So at 25 percent, they should be able to make quite a bit more money because they'll be able to spend a lot of that on luxury or commercial space. So I wouldn't argue that they will make less money, but I do think that the severity of the housing problem at this stage is such that we do not take strong measures.

"I saw recently that the census figures said that the population of Oahu actually dropped from July 1, 2006 to July 1, 2007, which is very unusual for an economy that was going as well as ours was during that year. We had very low unemployment. Usually an economy like that draws workers in. In this case, people are leaving and I have to believe that part of the reason for that is housing costs are so high, people feel they to try to seek opportunities in other locales.

"So I think the bill makes a lot of sense. Now I may be naïve. I don't know. But I think there are developers who can make money in Kaka'ako with 25 percent set aside. Mahalo."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and S.B. No. 2294, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Third Reading by a vote of 45 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representatives Bertram, Chang, Nakasone and Sagum being excused.

S.B. No. 3048, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 3048, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. Mr. Speaker, these bills are responsible for properties that have been designated for residential use by Native Hawaiian peoples for their benefit as described by both federal and State law. There are a lot of issues with this bill. DHHL claims that the commercial leases are essential to raise funds to house Hawaiians. But this drastic change in this bill was done largely without beneficiary consultation. It was kind of a split between the homesteaders. If you look at the testimony, several were in favor, several were against, in particular homesteaders from Kauai, Hawaii Island, and Oahu. I also got word from Kamaki Kanahel, the President of the Sovereign Council of Hawaiian Homestead Associations or SCHHA, saying he had serious concerns and that these weren't consulted enough.

"So I think there needs to be a lot more time to look at this measure. There are beneficiaries that are organizing themselves to do economic development, and that's the kind of thing that I support. So maybe this bill can be deferred so we can give priority or limit the bill just to those types of projects. There has also been talk of maybe having community benefits agreements negotiated with those commercial properties. But I have additional written comments as well. Thank you."

Representative Shimabukuro's written remarks are as follows:

"I stand in opposition to this measure, which was amended to revive a defeated proposal to allow DHHL to extend commercial leases, from 65 to 99 years.

"DHHL is responsible for properties which have been designated for residential use by Native Hawaiian peoples for their benefit as prescribed by both federal and State laws. The State must live up to its responsibility to adequately fund DHHL to help alleviate the waiting list.

"Some DHHL beneficiaries were shocked by DHHL's decisions to lease homestead land to timeshare developers on Kauai, malls on Hawaii Island, and now to a mall larger than Ala Moana in Kapolei. Many were also shocked by the sudden amendments to this bill, which started off as a good measure to increase the loan ceiling for agricultural and ranch operations on Hawaiian Home Lands from $50,000 to $200,000 dollars.

"This drastic change to this bill, done without consulting beneficiaries, has lead homesteaders from Kauai, Hawaii Island, Oahu, as well as Kamaki Kanahele, President of the Sovereign Council of Hawaiian Homestead Associations, or "SCHHA," to oppose this measure. Further, Robin Danner of the Council for Native Hawaiian Advancement and Native Hawaiian Legal Corporation (NHLC) also opposes this measure.

"While DHHL is using the commercial leases for the laudable goal of raising funds to house Hawaiians, not all commercial leases are created equal. I support the beneficiary lead ventures, such as those in Nanakuli and on Neighbor Islands. We should provide a preference for these kinds of projects, or even limit the bill to community driven projects. Another way to improve the bill would be to require that any 99-year lease holder must enter into a community benefits agreement negotiated with beneficiary stakeholder organizations, such as homestead associations.

"I have heard from developers like Mark Development that it is difficult to house the majority of Hawaiians on the waiting list because they cannot afford the mortgages offered by DHHL. Many of those Hawaiians live in my district and are homeless.

"We need to start thinking outside the box. Over 20 years ago DHHL beneficiaries at King's Landing in Keaukaha, Hawaii Island, moved onto the land and created a village that exists "off the grid," without any costly infrastructure for water, power, etcetera. Today King's Landing is an example of a truly sustainable, agricultural, hunting, and fishing community where beneficiaries, many of whom rely on fixed disability income, are free from having to pay large mortgages and utility bills. More of these projects are needed for those on the waiting list who are passed over time and time again because they cannot afford the higher-end projects DHHL constructs. This would also curb the need for DHHL to raise money through issuing commercial leases.

"In light of the recent vehement opposition voiced by OHA's beneficiaries regarding the lack of consultation prior to the proposed settlement, we should not repeat the same mistake here with DHHL."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Basically my opposition is that the extension to the 99 years defies our basic policies regarding leases on public lands. I'd like to refer everybody to Chapter 171-36(b) where the policy of the State is to tie on the extension of leases to the amortization of improvements on the property. There is no such provision in this bill and in public hearing it appeared that the Chair of the Hawaiian Homelands was amenable to sum a provision like that, but the bill was never amended to reflect that. And so basically what we're headed toward is making this essentially a fee rather than lease hold property.

"We are facing two situations here and they should be addressed separately. There are Hawaiian entities that have commercial operations on Hawaiian Homelands that directly benefit the beneficiaries. So I don't think anybody has a problem with that scenario. But we have a second type of commercial lease which is going out to non-Hawaiian entities and I believe that there is a Constitutional problem there too, because in the discussions from the

1978 Constitutional Convention, there was a clear indication from the delegates that the State should be fully funding the needs of the Department of Hawaiian Homelands where they wouldn't have to go out and lease Hawaiian Homelands, and that they should be adequately financing that Department. This measure goes directly against that and the only justification for this type of lease is to finance the Department, as well as the beneficiaries in providing homestead leases.

"So the major problem is there's no logical nexus of why the lease should be extended and defies our basic State policy regarding public lands that are being leased. So for those reasons, I'm against this measure."

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Karamatsu rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, Senate Bill 3048 provides the Department of Hawaiian Homelands and all of its beneficiaries with a tool that will aid in their goal to be economically self-sufficient. It will change the rule that the Department is able to lease lands for commercial developments.

"First of all, it will allow the Department and their development partners the flexibility to work with large financial institutions to provide financing for projects under commercial leases. In today's day it's very economically tight for the commercial lending march base. Investors look at the viability of projects and their return on investment. A longer term lease allows the parties the opportunity to work together to find the best financial arrangements that will make a project viable which would benefit the Department and its programs for its beneficiaries.

"Second, most commercial leases across the mainland United States have 99-year terms with step-ups at intervals for increased rents.

"Third, it gives financing flexibility for small projects and improvements on current leases; projects such as the Prince Kuhio Mall are up for rent renegotiations. This tool will provide the financial flexibility to current leases to get a sufficient term on their leases so it can be used as collateral for a loan. The longer term lease will also allow the developer to recover their capital improvement investment and realize the reasonable return for the risk they are taking in making improvements to the property. Even smaller projects, such as the commercial project in Nanakuli benefits because they too will have to work with lenders who need to feel comfortable about taking the risk on capital improvement loans. For lenders as well a longer lease means there is collateral value. For the Department a longer lease means a longer revenue stream and the foundation for a budget how much they can plan their long term programs.

"Finally commercial projects for the Department of Hawaiian Homelands will provide the Department with economic feasibility to develop more homes for their beneficiaries. Longer term leases will mean better and stronger programs that will assist more Native Hawaiians. This is a win-win solution for the Department and its beneficiaries.

"So in summary, long term leases will be more attractive to commercial lenders and developers who in turn will provide a sustainable future for the Department of Hawaiian Homelands and its beneficiaries. A lot of our Committees are asking our departments to be more self-sustaining because they're always coming back asking for appropriations year in and year out. In this tough time it's actually good to see a department trying to be more self-sustainable, and try ask for less money from us every year and that's what they're trying to do. They want to help out their beneficiaries and also help out the State in the big picture. Thank you. And may I insert additional comments?"

Representative Karamatsu's written remarks are as follows:

"I rise in support. Senate Bill 3048 provides the Department of Hawaiian Home Lands and all of its beneficiaries, with a tool that will aid them in their goal to be economically self-sufficient.

"We will change the way that the Department is able to lease lands for commercial developments. First of all, it allows the Department and their development partners, the flexibility to work with large financial institutions to provide financing for projects on their commercial leases. It is very tough in today's tight commercial lending marketplace. Investors look at the viability of projects, and its return on investment. A longer term lease allows the parties the opportunity to work together to find the best financing arrangements that will make a project viable, which will benefit the Department and its programs for its beneficiaries.

"Second, most commercial leases across the mainland have 99-year terms with step ups at intervals for increased rents.

"Third, it gives financing flexibility for smaller projects and improvements on current leases. Projects such as the Prince Kuhio Mall are up for rent renegotiations. This tool will provide the financial flexibility to current lessees to get a sufficient term on their lease so that it can be used as collateral for a loan. The longer term lease will also allow the developer to recover their capital improvement investment and realize a reasonable return for the risk they are taking in making improvements to the property. Even smaller projects such as the commercial project in Nanakuli benefit because they too will have to work with commercial lenders who will need to feel comfortable about taking the risk on a capitol improvements loan. For lenders as well, a longer lease means that there is collateral value. For the Department a longer lease means a longer revenue stream and the foundation for a budget on which they can plan their long term programs.

"Finally, commercial projects for the Department of Hawaiian Home Lands will provide the Department with the economic feasibility to develop more homes for their beneficiaries. Longer term leases will mean better and stronger programs that will assist more native Hawaiians. This is a win-win solution for the Department and its beneficiaries.

"To sum it all up, longer term leases will be more attractive to commercial lenders and developers who in return will provide a sustainable future for the Department of Hawaiian Home Lands and its beneficiaries. Thank you."

Representative Belatti rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. I'll be really brief. I'm very concerned about this bill because of the process under which the bill comes before us is essentially, a 'gut and replace.' I have many Hawaiians in my district and I just feel that the beneficiaries do need to be consulted as this bill moves forward. I think we have time. We can take this through the interim and we can take this out to the communities and get more feedback to whether or not this is a good policy or not. Thank you."

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition and ask that the words of the Representative from Hanalei be entered as my own. And in addition I would just like to comment that we know when we read this that this bill is not about homes for beneficiaries. And perhaps it's a really good idea to allow departments a little more autonomy to consider the ability perhaps for the Department of Education to have similar investment capabilities. Thank you."

Representative Har rose in support of the measure and asked that her written remarks and the remarks of Representative Karamatsu be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in Strong Support of SB3048, SD1, HD1.

"Mr. Speaker, the purpose of this bill is to extend the maximum term on commercial leases on Hawaiian home lands from 65 to 99 years. Currently, the maximum commercial lease term agreement limit under the Hawaiian Homes Commission Act is 65 years. I stand in strong support for extending this limit to 99 years for two reasons:

"First, I would like to clarify the scope of a term agreement. Although 65 years sounds like a sufficient time for a lease, often times 65 years does not suffice in securing developer agreements for commercial property owners. Extending the current 65-year limit to 99 years would significantly increase property value and attract better investment. The pool of investors would be greatly enhanced, therefore increasing competition and ensuring a better overall investment selection. The increase in competitive lease bids would also give property owners more leverage during lease negotiations.

"A second reason I support the passage of this bill is because it would further allow the Department of Hawaiian Homelands to provide homeownership opportunities to native Hawaiians by increasing the Hawaiian Homes Commission's ability to secure solid investments and future funding. DHHL has worked to build its homesteading program through income generated by DHHL's commercial property leases. According to testimony by Micah Kane, Chairman of DHHL, "as DHHL designates income-generating properties to its respective homestead community-based organizations, the authority would also be passed to the homestead organizations, which would soon realize the opportunity to directly generate the same economic benefit as DHHL as they strive to carry out their respective community development plans and better serve their communities themselves." This would help to drive homestead community-based organizations into autonomous relationships with developers and further facilitate harmonious agreements between the two parties. The proposed bill would greatly enhance DHHL's ability to be fiscally self-sufficient and further provide home ownership opportunities to native Hawaiians well into the future. For these reasons, I stand in strong support of the measure. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure with reservations, and asked that the remarks of Representative Shimabukuro be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Evans rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have some reservations because of how the bill arrived here. And the other thing that's been commented on here is that it's common for commercial leases to be 99 years. I was in real estate for 35 years and it certainly wasn't common. People bought leasehold lots and built expensive houses on them, and it was a 55 year lease. Oftentimes commercial leases are even less than that, so 65 seemed like a very long commercial lease. I'm not so sure that 99 years is the way to go. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. This bill was at the request of the DHHL Director and I think it's a good first step to make sure that DHHL does have the requisite funds to provide Hawaiian homesteads. Thank you."

Representative Morita rose to respond, stating:

"Thank you, Mr. Speaker. I just wanted to again re-emphasize that there's no problem with extension of leases, but there should be a logical nexus to that extension; that it should be tied to the improvements on the property and the amortization of all those improvements.

"The way this bill is written now, there's no connection. And again there's a distinction between leases that have a direct impact to the beneficiaries because they're participating in that economic development, but all we have to do is go back and look at the 1978 Con Con and the mandatory language in there where the State shall make sufficient sums avaiable to the Department of Hawaiian Homelands. We are shirking out fiduciary responsibilities if we fail to do that.

"It's very clear. There's clear language from the Con Con that exists. It is clear to your Committee that the intent and spirit of this act would be better served by releasing the Department of its present burden to generate revenues through the general leasing of its lands. And we need to be really cognizant of that. Thank you."

The motion was put to vote by the Chair and carried, and S.B. No. 3048, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Belatti, Berg, Hanohano, Morita, Rhoads, Shimabukuro and Takumi voting no, and with Representatives Bertram, Chang, Nakasone and Sagum being excused.

S.B. No. 546, SD 2, HD 1:

Representative Caldwell moved that S.B. No. 546, SD 2, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"I stand in opposition of SB 546, SD2, HD1. I am very disappointed that this bill no longer requires lands designated as Important Agricultural Land, or IAL, to be preserved as IALs in perpetuity. In my mind that renders this bill without any merit and makes the term "IAL" a misnomer. How is designating anything IAL any better than the current designation we have if there is no guarantee that the IAL designation will have a lasting effect?

"Even worse, this measure allows landowners who designate IALs the option of designating the other 20 of their lands as urban or rural, bypassing the existing land use law process. The existing process is essential for thorough decision making and public involvement.

"For example, as we speak, Schuler Homes is proposing to build 12,000 homes in the Ewa plains, in an area that the County deemed part of its urban growth boundary. This project, Ho`opili, will displace Aloun Farms and several other farmers who have been successfully farming for several years on prime A and B agriculture land previously owned by Campbell Estate. While Schuler has told the media that the farmers will be relocated, when pressed, it appears that Schuler has no guarantee of that. Schuler is simply "inquiring" with other land owners about whether Aloun and the other farmers can be relocated. Sadly, Aloun and the other farmers are bound by "gag clauses" in their leases that prohibit them from speaking out against this displacement.

"Under our current law, the public can voice its opposition before the Land Use Commission and the Planning Commission. The Kapolei Neighborhood Board, Life of the Land, and many others have taken a strong stand against Schuler Homes, calling it a "crime" to evict these farmers from prime agricultural land at a time when Hawaii lawmakers have decried the fact that our State imports over 90% of our food. While 30% of these homes are required to be affordable, the buy back provision is only temporary. So in 10 years, we will be faced with the loss of precious farms on prime agricultural land, which will likely be replaced by high priced or luxury homes owned by the wealthy.

"Clearly, as this Schuler Homes example shows, the checks and balances between the State and County created by the LUC and Planning Commission is an essential process that must be preserved. Given the speculative real estate pressures on Hawaii's limited lands, there is no reason to expedite the conversion of farmland to developable land, particularly if such a process reduces public input.

"What this measure seems to overlook is the sprawl preventing aspect of the State Land Use Law and the process it provides. The founders of Hawaii's Land Use Law were the first in the nation to establish de facto "urban growth boundaries" and use comprehensive zoning as a way to keep unbridled development in check statewide.

"Our current law helps to prevent costly urbanization of lands far from existing urban areas where additional development is more efficient.

"Agricultural designation is a critical tool to contain urban growth and focus development where it makes the most sense.

"As such there is a need for the Legislature to support and initiate a facilitated community based discussion amongst all important agricultural land stakeholders on the needed policy and statutory changes needed to promote a sustainable agricultural sector in Hawaii for its sustainable future."

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Not to sound like a broken record, but just for clarification a ruling on a potential conflict. I live on one of the residential lots that would be affected by this legislation. Thank you," and the Chair ruled, "no conflict."

Representative Finnegan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. Upon careful consideration, Senate Bill 546 was amended. We replaced its contents with most of the language of House Bill No. 2807, House Draft 2, which contains language providing two incentives for landowners to designate their land as important agricultural land (IAL) and included a number of major amendments. The goal of this measure is to protect our most valuable agricultural lands and encourage landowners to designate a large portion of their land into IALs.

"One incentive is for landowners who are required to provide affordable housing as a condition of development. A landowner who designates all or a portion of their land as IAL may satisfy this affordable housing requirement on qualifying rural district lands, rather than in the urban district as typically required.

"The other incentive allows for an easier boundary amendment reclassification process for landowners who designate their lands as IAL, by combining the petitions for designation and reclassification, provided that:

(1) The land sought to be reclassified is within the same county as the land to be designated IAL;

(2) Reclassification of the land is consistent with relevant county general and development plans; and

(3) The total acreage of the land sought to be reclassified is less than 20 percent of the land that is the subject of the petition.

"We included the following language in House Bill 2807, House Draft 2 that seeks to protect the integrity of the agricultural lands by:

(1) Clarifying that the farm dwellings permitted on prime agricultural lands in the agricultural district must be part of a working farm, or a farming operation necessary to the production and distribution of agricultural commodities, and not merely relating to farming and animal husbandry;

(2) Clarifying that lands in the rural district may be used for agribusiness activities and farm worker housing, which are currently found on agricultural lands; and

(3) Clarifying that areas that are not used for, or not suited to, agricultural and ancillary activities by reason of topography, soils, and other related characteristics, shall be in the rural district, and not the agricultural district.

"Regarding the designation of IAL, House Bill 2807, House Draft 2 among other things:

(1) Requires land designated as IAL, in a petition to designate IAL and reclassify other lands, at a minimum be:

(A) Land with sufficient quantities of water to support viable agricultural production; and

(B) Land that contributes to maintaining a critical land mass important to agricultural operating productivity;

(2) Adds as a standard and criteria to be used to identify IALs, land that, although unsuited for agricultural use because of topography, must be kept together as part of the tax map key parcel; and

(3) Requires the Land Use Commission (LUC) to grant or deny a petition to designate IAL and reclassify lands to other uses in its entirety.

"Your Committees have further amended House Bill 2807, House Draft 2, by:

(1) Providing that lands in the rural district shall also include:

(A) Low-density residential lots and residential subdivisions existing on agricultural lands before January 1, 2008;

(B) Areas to preserve natural landscapes, open space, and the rural character of the area; and

(C) Clusters of historic plantation settlements that do not function as a suburb of a major urban center;

(2) Removing the requirement that lands designated as IAL remain IAL in perpetuity;

(3) Allowing a landowner seeking reclassification of lands in conjunction with a petition to designate land as IAL, to reclassify to conservation land, as well as rural or urban;

(4) Allowing a landowner who designates IAL to earn up to 20 percent of the IAL acreage in transferrable credits that can be used to reclassify other agricultural lands to other uses, to account for situations where the landowner who designates IALs may not own lands appropriate for reclassification at the time of designation of IALs;

(5) Allowing the LUC to designate IALs in accordance with this Act before the counties submit maps of recommended IALs;

(6) Removing from the minimum requirement of land designated as IAL, in a petition to simultaneously designate IAL and reclassify other lands, land quality based on soil classification;

(7) Removing the requirement that the reclassification of the lands sought to be reclassified in a petition to designate IAL be consistent with relevant community plans, and requiring consistency only with county general and development plans;

(8) Removing county authority to issue special use permits on agricultural lands; and

(9) Making technical, nonsubstantive amendments for style, clarity, and consistency.

"Thank you."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Thank you. Just please note my reservations. Again, these are the bills relating to urban and rural development."

The motion was put to vote by the Chair and carried, and S.B. No. 546, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Third Reading by a vote of 40 ayes to 7 noes, with Representatives Berg, Carroll, Hanohano, Pine, Shimabukuro, Thielen and Wakai voting no, and with Representatives Bertram, Chang, Nakasone and Sagum being excused.

S.B. No. 1934, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 1934, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise to speak in support, but with partial reservations on SB 1934, SD1, HD1.

"I have no problem whatever with the various tax credits that have been added to the bill. In fact, I strongly support them! Each of them serves a worthy purpose and, if implemented, will benefit vital areas of concern such as long-term care, energy conservation, environmental preservation, and our tourist industry.

"I do have concerns, however, with what has been deleted – the Ko Olina and Makaha tax credits. Specifically, these credits would make possible the development of a training and educational facility within a working resort and hotel in Makaha. This would definitely help employment in my district, where unemployment and low wages are real issues.

"On the positive side, as I indicated at the outset, I do favor the several tax credits that comprise this bill. I am especially pleased that some of the tax credits will benefit Federally Qualified Health Centers, most of which are located in remote and underserved areas of our state. The Wai'anae Coast district that I serve will definitely be a beneficiary of this legislation."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with reservations. I just wanted to note that we had another bill here where we were just getting rid of all the tax credits, and in this bill we're adding a whole bunch of new ones. I don't know. It seems sort of schizophrenic, Do we want tax credits? Or do we not like them? Or do we want them? I mean, it's like we get rid of the ones that are on the books and put a bunch of new ones on. Thank you."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, I rise in support. Thank you, Mr. Speaker. I just wanted to mention to you and our Members, that I appreciate the efforts on the part of the House leadership to add in part 4, page 39, the cancellation of the Aquarium Tax Credit that we had given a few years.

"It's kind of ironic that today, as we stand here talking about eliminating this tax credit, we find out in *The Honolulu Advertiser* that unfortunately, despite the pledge of not utilizing the tax credit, about $3 million got used. But I believe that if we do this now, no more will be used. Thank you, Mr. Speaker."

Representative Belatti rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise with reservations to Senate Bill 1934, House Draft 1.

"As originally drafted by the Senate, this measure was intended to allow an individual taxpayer to request that the taxpayer's refund be electronically deposited into more than one account at financial institutions. As noted in the underlying Senate Committee report, "[i]ncome splitting is a standard asset management tool . . . allowing a person to split assets into separate pools for spending and for saving"; and that this tool is also used by both the federal government and California to return individual taxpayer's refunds. Because the House Draft has replaced this measure with a laundry list of tax credits, some of which the Department of Taxation has raised serious concerns about, I support this measure with reservations and hope that both House and Senate conferees will revisit the original draft of this Senate Bill."

Representative Wakai rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Wakai's written remarks are as follows:

"Mr. Speaker, I rise with reservations on this measure. This bill is a mixed bag of goodies and garbage. Let me begin by talking about the goodies.

"I like the repeal of the Ko'Olina tax credit. As we read in today's *Advertiser*, taxpayers of Hawaii lost nearly three and a half million dollars for an aquarium and what do we have to show for it? A few pictures of a hole in the ground, and fish in a tank that the developer will never build. Now enter Disney, which indicates it will build an aquarium without any government handouts. That's the way all businesses should make money in Hawaii – they should earn it and not beg the public to pay for their projects.

"There are a couple of credits in this bill that have merit, and a couple that amount to pure subsidies for businesses and individuals.

We need to stop the bleeding. The Department of Taxation numbers in 2005 show that the 23 tax credits on the books drained our State coffers of $200 million. We have no idea how much these proposed giveaways will cost.

"The Tax Review Commission has repeatedly suggested we reign in our appetite for tax credits. Lawmakers should be moving towards a fair tax policy that eases the burden for everyone, not just a few. Thank you, Mr. Speaker."

Representative Awana rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations. Mr. Speaker, overall this measure provides for many tax credits which are important and helps our general public in many areas. However, I believe a closer look needs to be taken in the area of the Ko Olina Tax Credit. Because of this, I will be voting with reservations until I can gather more information. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and S.B. No. 1934, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Third Reading by a vote of 47 ayes, with Representatives Bertram, Chang, Nakasone and Sagum being excused.

S.B. No. 2153, SD 1, HD 1:

Representative Caldwell moved that S.B. No. 2153, SD 1, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of S.B. 2153, S.D. 1, H.D. 1 which provides a one dollar tax credit to taxpayers pursuant to article VII, section 6, of the Hawaii Constitution. In an article in the *Star-Bulletin*, Senator Rosalyn Baker states that, "Your committee would have loved to recommend a bill larger than this, but we have indications that our economy is problematic." The President of the United States got the same indications and the national solution was to stimulate the economy by putting money back into the pockets of taxpayers. A Democrat Majority Congress passed legislation in favor of giving a refund back to taxpayers, we should too. We aren't capable of printing up money like the feds are so we must infuse/invest back in the people of Hawaii now while we have a carryover balance to do it. We won't have this chance in the future. Thank you, Mr. Speaker."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations on this bill.

"This bill would give a $1 tax credit to each taxpayer in Hawaii. The State Constitution mandates that the Legislature must provide tax relief to the people of Hawaii if the State has run a surplus over a certain threshold for 2 years in a row. Mr. Speaker, a $1 tax credit is a slap in the face of every tax paying citizen. Over the last few years, Hawaii has had multi-million dollar surpluses and instead of giving a meaningful rebate to the hardworking taxpayer whose dollars created the surplus, the Legislature chose to appropriate those millions of dollars of surplus to non-profits and other organizations that have questionable value and little oversight. Mr. Speaker, the people of Hawaii need real tax relief now, and this bill doesn't cut it. Mahalo."

The motion was put to vote by the Chair and carried, and S.B. No. 2153, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INCOME TAX CREDIT," passed Third Reading by a vote of 46 ayes to 1 no, with Representative Finnegan voting no, and Representatives Bertram, Chang, Nakasone and Sagum being excused.

At 5:43 o'clock p.m., the Chair noted that the following bills passed Third Reading:

S.B. No. 2294, SD 2, HD 1
S.B. No. 3048, SD 1, HD 1
S.B. No. 546, SD 2, HD 1
S.B. No. 1934, SD 1, HD 1
S.B. No. 2153, SD 1, HD 1

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Bertram, Chang, Nakasone and Sagum were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Chang, Nakasone and Sagum were excused.)

H.B. No. 2908, SD 1
H.B. No. 3161, SD 3

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. I'm happy to announce in honor of Earth Day that's coming up, we have our annual Hemp Aloha Shirt Friday. If you don't have one of those, just wear natural fiber on Friday. And just so people can see, out of the scraps of the hemp fabric, I've had market bags made. They really work very well. They're strong and they work, and that saves me from having to use plastic. Thanks, Mr. Speaker."

Representative McKelvey: "I just want to thank the previous Representative for the announcement, and I just want to note that the Majority Leader has intimated to me that he really needs a hemp shirt and a bag."

Representative Yamashita: "Thank you, Mr. Speaker. Just to remind everybody that tomorrow, between 11 and 1 p.m. we will be having the fourth annual Bizarre Bazaar in Room 325. We will have food and all kinds of stuff to buy, all to help benefit the Foodbank of Hawaii, hosted by myself, Representative Chong and Representative Tsuji. Thank you."

Representative Meyer: "Mr. Speaker, I just wanted to, on behalf of the Republican Caucus, thank you for your hospitality and the wonderful lunch today."

ADJOURNMENT

At 5:48 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Thursday, April 10, 2008. (Representatives Bertram, Chang, Nakasone and Sagum were excused.)

HOUSE COMMUNICATIONS

"April 7, 2008

MEMORANDUM

TO: Carol T. Taniguchi
Clerk of the Senate

Patricia Mau-Shimizu
Clerk of the House

FROM: Colleen Hanabusa
President of the Senate

Calvin K.Y. Say
Speaker of the House

RE: House Bill No. 2250, HD1
Relating to Transportation

Please be advised that we have authorized an exception to the 2008 Legislative Timetable agreed upon and dated December 27, 2007 with respect to the First Bill Crossover deadline [March 6th], the Second Bill Crossover deadline [April 10th], and if necessary, the deadline for disagreement to amendments made by the non-originating Chamber [April 10th] as they relate to the above-referenced bill.

The continued well-being and stability of the state's inter-island air industry, passenger as well as cargo transport, is of paramount importance to the people of the State of Hawaii.

You are hereby authorized to process, transmit and receive said measure, as appropriate, to meet Constitution bill passage requirements."

House Communication dated April 8, 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. 2062, H.D. 1, S.D. 2
H.B. No. 2163, H.D. 2, S.D. 1
H.B. No. 2254, H.D. 2, S.D. 1
H.B. No. 2306, H.D. 2, S.D. 2
H.B. No. 2326, H.D. 2, S.D. 1
H.B. No. 2366, S.D. 1
H.B. No. 2517, H.D. 1, S.D. 1
H.B. No. 2559, H.D. 2, S.D. 1
H.B. No. 2675, H.D. 2, S.D. 1
H.B. No. 2697, H.D. 1, S.D. 1
H.B. No. 2730, H.D. 1, S.D. 1
H.B. No. 2761, H.D. 1, S.D. 1
H.B. No. 2763, H.D. 1, S.D. 1
H.B. No. 2920, S.D. 1
H.B. No. 3175, H.D. 1, S.D. 1

House Communication dated April 8, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate on March 24, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 2908, SD 1
H.B. No. 3161, SD 3

"April 9, 2008

The Honorable Linda Lingle
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Lingle:

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of the following Senate Bills, copies of which are attached hereto:

S.B. No. 3201[*sic - S.B. 3202*], H.D. 1, entitled:

"PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION TO EXTEND THE MANDATORY RETIREMENT AGE FOR STATE JUSTICES AND JUDGES FROM SEVENTY TO EIGHTY YEARS OF AGE."

Said measure passed Third Reading in the Hawaii House of Representatives on April 8, 2008.

S.B. No. 966, entitled:

"PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS."

Said measure is pending 10-day notice and will be positioned for passage on Third Reading in the Hawaii House of Representatives on April, 21, 2008.

Respectfully,
/s/
PATRICIA MAU-SHIMIZU
Chief Clerk"

FORTY-SEVENTH DAY

Thursday, April 10, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Lieutenant General Dan "Fig" Leaf, Deputy Commander, U.S. Pacific Command, after which the Roll was called showing all members present with the exception of Representatives Nakasone and M. Oshiro, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Twenty-Fifth, Twenty-Sixth, Twenty-Seventh, Twenty-Eighth, Twenty-Ninth, Thirtieth, Thirty-First, Thirty-Second, Thirty-Third, Thirty-Fourth, Thirty-Fifth, Thirty-Sixth, Thirty-Seventh and Thirty-Eighth Days were approved. (Representatives Nakasone and M. Oshiro were excused.)

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 292) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 292, informing the House that on April 8, 2008, the following bill was signed into law:

S.B. No. 2395, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LANGUAGE ACCESS." (ACT 008)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 468 through 602) were received and announced by the Clerk:

Sen. Com. No. 468, transmitting H.B. No. 647, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 469, transmitting H.B. No. 2347, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO METAL," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 470, transmitting H.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 471, transmitting H.B. No. 2502, H.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 472, transmitting H.B. No. 7, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 473, transmitting H.B. No. 94, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 474, transmitting H.B. No. 362, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE ACCIDENTS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 475, transmitting H.B. No. 466, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 476, transmitting H.B. No. 509, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 477, transmitting H.B. No. 516, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL OFFENDERS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 478, transmitting H.B. No. 523, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 479, transmitting H.B. No. 602, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 480, transmitting H.B. No. 660, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 481, transmitting H.B. No. 1037, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COASTAL ZONE MANAGEMENT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 482, transmitting H.B. No. 1365, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 483, transmitting H.B. No. 1402, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 484, transmitting H.B. No. 1412, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 485, transmitting H.B. No. 1745, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 486, transmitting H.B. No. 1978, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 487, transmitting H.B. No. 2003, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII ENERGY POLICY FORUM," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 488, transmitting H.B. No. 2005, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY TECHNOLOGIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 489, transmitting H.B. No. 2009, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 490, transmitting H.B. No. 2040, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HAWAII'S ECONOMY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 491, transmitting H.B. No. 2045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 492, transmitting H.B. No. 2047, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INDIVIDUAL DEVELOPMENT ACCOUNTS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 493, transmitting H.B. No. 2085, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 494, transmitting H.B. No. 2137, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 495, transmitting H.B. No. 2139, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 496, transmitting H.B. No. 2164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 497, transmitting H.B. No. 2196, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 498, transmitting H.B. No. 2204, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 499, transmitting H.B. No. 2224, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 500, transmitting H.B. No. 2238, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 501, transmitting H.B. No. 2245, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 502, transmitting H.B. No. 2253, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 503, transmitting H.B. No. 2255, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 504, transmitting H.B. No. 2256, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 505, transmitting H.B. No. 2261, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 506, transmitting H.B. No. 2263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 507, transmitting H.B. No. 2271, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 508, transmitting H.B. No. 2272, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 509, transmitting H.B. No. 2293, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 510, transmitting H.B. No. 2302, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REAL PROPERTY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 511, transmitting H.B. No. 2346, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 512, transmitting H.B. No. 2372, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 513, transmitting H.B. No. 2376, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE FIRE COUNCIL," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 514, transmitting H.B. No. 2386, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 515, transmitting H.B. No. 2387, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 516, transmitting H.B. No. 2388, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 517, transmitting H.B. No. 2395, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 518, transmitting H.B. No. 2408, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE BROKERS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 519, transmitting H.B. No. 2415, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGH

TECHNOLOGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 520, transmitting H.B. No. 2429, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RECREATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 521, transmitting H.B. No. 2436, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 522, transmitting H.B. No. 2438, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 523, transmitting H.B. No. 2450, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 524, transmitting H.B. No. 2456, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 525, transmitting H.B. No. 2473, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TECHNOLOGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 526, transmitting H.B. No. 2486, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 527, transmitting H.B. No. 2500, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 528, transmitting H.B. No. 2505, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 529, transmitting H.B. No. 2506, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO REORGANIZATION OF STATE AGENCIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 530, transmitting H.B. No. 2507, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 531, transmitting H.B. No. 2511, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 532, transmitting H.B. No. 2519, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 533, transmitting H.B. No. 2520, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 534, transmitting H.B. No. 2526, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE STATE PLAN," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 535, transmitting H.B. No. 2527, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SMART GROWTH," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 536, transmitting H.B. No. 2531, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 537, transmitting H.B. No. 2540, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 538, transmitting H.B. No. 2547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 539, transmitting H.B. No. 2550, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 540, transmitting H.B. No. 2557, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 541, transmitting H.B. No. 2587, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION TO ESTABLISH CREATIVITY ACADEMIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 542, transmitting H.B. No. 2589, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 543, transmitting H.B. No. 2605, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARMED SERVICES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 544, transmitting H.B. No. 2614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 545, transmitting H.B. No. 2661, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 546, transmitting H.B. No. 2672, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PARKING," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 547, transmitting H.B. No. 2685, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 548, transmitting H.B. No. 2687, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AQUATIC RESOURCES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 549, transmitting H.B. No. 2698, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 550, transmitting H.B. No. 2699, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM

PROBATE CODE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 551, transmitting H.B. No. 2700, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 552, transmitting H.B. No. 2704, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 553, transmitting H.B. No. 2710, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 554, transmitting H.B. No. 2729, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BURGLARY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 555, transmitting H.B. No. 2739, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 556, transmitting H.B. No. 2770, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 557, transmitting H.B. No. 2772, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 558, transmitting H.B. No. 2781, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 559, transmitting H.B. No. 2811, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 560, transmitting H.B. No. 2843, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 561, transmitting H.B. No. 2863, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 562, transmitting H.B. No. 2872, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 563, transmitting H.B. No. 2881, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PERINATAL CARE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 564, transmitting H.B. No. 2894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 565, transmitting H.B. No. 2922, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FUEL TAX," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 566, transmitting H.B. No. 2929, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 567, transmitting H.B. No. 2953, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 568, transmitting H.B. No. 2955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 569, transmitting H.B. No. 2961, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 570, transmitting H.B. No. 2965, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 571, transmitting H.B. No. 2971, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 572, transmitting H.B. No. 2972, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 573, transmitting H.B. No. 2977, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 574, transmitting H.B. No. 2978, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 575, transmitting H.B. No. 2998, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 576, transmitting H.B. No. 3002, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 577, transmitting H.B. No. 3011, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 578, transmitting H.B. No. 3016, H.D. 3, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO LAW ENFORCEMENT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 579, transmitting H.B. No. 3040, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 580, transmitting H.B. No. 3059, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO LOW-INCOME HOUSING TAX CREDITS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 581, transmitting H.B. No. 3120, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL

QUARANTINE FACILITIES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 582, transmitting H.B. No. 3126, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 583, transmitting H.B. No. 3140, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 584, transmitting H.B. No. 3151, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEES," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 585, transmitting H.B. No. 3173, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 586, transmitting H.B. No. 3176, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ADMINISTRATIVE PENALTIES FOR DAMAGE TO STONY CORAL AND LIVE ROCK," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 587, transmitting H.B. No. 3177, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 588, transmitting H.B. No. 3178, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 589, transmitting H.B. No. 3179, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 590, transmitting H.B. No. 3191, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 591, transmitting H.B. No. 3196, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO RENTAL MOTOR VEHICLE SURCHARGE TAX," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 592, transmitting H.B. No. 3197, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 593, transmitting H.B. No. 3249, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 594, transmitting H.B. No. 3331, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 595, transmitting H.B. No. 3348, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 596, transmitting H.B. No. 3352, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 597, transmitting H.B. No. 3367, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WIRELESS ENHANCED 911," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 598, transmitting H.B. No. 3377, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 599, transmitting H.B. No. 3383, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 600, transmitting H.B. No. 3386, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 601, transmitting H.B. No. 3407, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO GASOLINE DEALERS," which passed Third Reading in the Senate on April 8, 2008.

Sen. Com. No. 602, transmitting H.B. No. 3422, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SURCHARGE FOR INDIGENT LEGAL SERVICES," which passed Third Reading in the Senate on April 8, 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 Nakasone and M. Oshiro were excused.)

H.B. No. 7, H.D. 1, S.D. 1
H.B. No. 94, H.D. 1, S.D. 2
H.B. No. 362, H.D. 1, S.D. 1
H.B. No. 466, H.D. 1, S.D. 2
H.B. No. 509, H.D. 2, S.D. 2
H.B. No. 516, H.D. 1, S.D. 1
H.B. No. 523, H.D. 2, S.D. 1
H.B. No. 602, H.D. 2, S.D. 2
H.B. No. 660, S.D. 1
H.B. No. 661, H.D. 1, S.D. 3
H.B. No. 1037, H.D. 1, S.D. 1
H.B. No. 1365, S.D. 2
H.B. No. 1402, H.D. 2, S.D. 2
H.B. No. 1412, H.D. 1, S.D. 1
H.B. No. 1745, H.D. 3, S.D. 1
H.B. No. 1978, H.D. 1, S.D. 1
H.B. No. 2003, S.D. 1
H.B. No. 2005, H.D. 1, S.D. 3
H.B. No. 2009, S.D. 1
H.B. No. 2040, S.D. 2
H.B. No. 2045, S.D. 1
H.B. No. 2047, H.D. 2, S.D. 2
H.B. No. 2085, H.D. 1, S.D. 2
H.B. No. 2137, H.D. 2, S.D. 3
H.B. No. 2139, H.D. 2, S.D. 1
H.B. No. 2164, H.D. 1, S.D. 1
H.B. No. 2196, H.D. 2, S.D. 2
H.B. No. 2204, H.D. 1, S.D. 1
H.B. No. 2224, H.D. 1, S.D. 2
H.B. No. 2238, H.D. 1, S.D. 1
H.B. No. 2245, H.D. 1, S.D. 2

H.B. No. 2253, H.D. 2, S.D. 1
H.B. No. 2255, H.D. 2, S.D. 2
H.B. No. 2256, H.D. 2, S.D. 1
H.B. No. 2261, H.D. 2, S.D. 1
H.B. No. 2263, S.D. 1
H.B. No. 2271, H.D. 1, S.D. 2
H.B. No. 2272, H.D. 2, S.D. 2
H.B. No. 2293, H.D. 1, S.D. 2
H.B. No. 2302, H.D. 2, S.D. 2
H.B. No. 2346, H.D. 2, S.D. 2
H.B. No. 2372, H.D. 2, S.D. 2
H.B. No. 2376, H.D. 1, S.D. 1
H.B. No. 2386, S.D. 2
H.B. No. 2387, H.D. 1, S.D. 2
H.B. No. 2388, H.D. 1, S.D. 2
H.B. No. 2395, H.D. 1, S.D. 2
H.B. No. 2408, H.D. 1, S.D. 2
H.B. No. 2415, H.D. 1, S.D. 2
H.B. No. 2429, H.D. 2, S.D. 2
H.B. No. 2436, H.D. 2, S.D. 2
H.B. No. 2438, H.D. 2, S.D. 2
H.B. No. 2450, H.D. 1, S.D. 2
H.B. No. 2456, H.D. 2, S.D. 1
H.B. No. 2473, H.D. 2, S.D. 2
H.B. No. 2486, S.D. 1
H.B. No. 2500, H.D. 1, S.D. 1
H.B. No. 2505, H.D. 2, S.D. 2
H.B. No. 2506, H.D. 2, S.D. 2
H.B. No. 2507, H.D. 1, S.D. 2
H.B. No. 2511, H.D. 1, S.D. 2
H.B. No. 2519, H.D. 2, S.D. 2
H.B. No. 2520, H.D. 3, S.D. 2
H.B. No. 2521, H.D. 2, S.D. 3
H.B. No. 2526, S.D. 2
H.B. No. 2527, H.D. 1, S.D. 1
H.B. No. 2531, H.D. 1, S.D. 2
H.B. No. 2540, H.D. 1, S.D. 1
H.B. No. 2547, S.D. 1
H.B. No. 2550, H.D. 2, S.D. 2
H.B. No. 2557, H.D. 1, S.D. 1
H.B. No. 2587, H.D. 1, S.D. 1
H.B. No. 2589, H.D. 2, S.D. 2
H.B. No. 2605, H.D. 2, S.D. 1
H.B. No. 2614, S.D. 1
H.B. No. 2661, H.D. 2, S.D. 2
H.B. No. 2672, H.D. 2, S.D. 1
H.B. No. 2685, H.D. 1, S.D. 1
H.B. No. 2687, H.D. 1, S.D. 2
H.B. No. 2698, H.D. 3, S.D. 1
H.B. No. 2699, H.D. 1, S.D. 1
H.B. No. 2700, H.D. 1, S.D. 2
H.B. No. 2704, H.D. 2, S.D. 1
H.B. No. 2710, H.D. 2, S.D. 2
H.B. No. 2729, H.D. 1, S.D. 1
H.B. No. 2739, H.D. 1, S.D. 2
H.B. No. 2770, H.D. 1, S.D. 2
H.B. No. 2772, H.D. 3, S.D. 1
H.B. No. 2781, H.D. 2, S.D. 2
H.B. No. 2811, S.D. 2
H.B. No. 2843, H.D. 2, S.D. 2
H.B. No. 2863, H.D. 2, S.D. 2
H.B. No. 2872, S.D. 2
H.B. No. 2881, H.D. 2, S.D. 2
H.B. No. 2894, S.D. 1
H.B. No. 2922, H.D. 1, S.D. 2
H.B. No. 2929, H.D. 1, S.D. 1
H.B. No. 2953, S.D. 1
H.B. No. 2955, H.D. 1, S.D. 1
H.B. No. 2961, H.D. 2, S.D. 2
H.B. No. 2965, H.D. 2, S.D. 2
H.B. No. 2971, H.D. 1, S.D. 2
H.B. No. 2972, H.D. 1, S.D. 2
H.B. No. 2977, H.D. 1, S.D. 1
H.B. No. 2978, H.D. 1, S.D. 2
H.B. No. 2998, H.D. 1, S.D. 2
H.B. No. 3002, H.D. 1, S.D. 1
H.B. No. 3011, H.D. 1, S.D. 1
H.B. No. 3016, H.D. 3, S.D. 2
H.B. No. 3040, H.D. 1, S.D. 1
H.B. No. 3059, H.D. 1, S.D. 3
H.B. No. 3120, H.D. 2, S.D. 1
H.B. No. 3126, S.D. 2
H.B. No. 3140, S.D. 2
H.B. No. 3150, H.D. 2, S.D. 1
H.B. No. 3151, H.D. 2, S.D. 1
H.B. No. 3173, H.D. 1, S.D. 1
H.B. No. 3176, H.D. 1, S.D. 2
H.B. No. 3177, H.D. 1, S.D. 2
H.B. No. 3178, S.D. 2
H.B. No. 3179, S.D. 1
H.B. No. 3191, H.D. 1, S.D. 2
H.B. No. 3196, H.D. 1, S.D. 2
H.B. No. 3197, S.D. 1
H.B. No. 3249, H.D. 1, S.D. 1
H.B. No. 3331, H.D. 2, S.D. 2
H.B. No. 3348, H.D. 2, S.D. 2
H.B. No. 3352, H.D. 2, S.D. 2
H.B. No. 3367, H.D. 2, S.D. 2
H.B. No. 3377, S.D. 2
H.B. No. 3383, S.D. 1
H.B. No. 3386, H.D. 1, S.D. 2
H.B. No. 3407, H.D. 1, S.D. 1
H.B. No. 3422, H.D. 2, S.D. 1

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Magaoay introduced Pastor Roland and Sister Catherine Santiago who operate a runaway shelter in the Philippines. They were accompanied by former Representative Dennis Arakaki.

Representative Herkes introduced members of the Caledonian Society of Hawaii, Ms. Lillian Cunningham, Ms. Heather MacGregor, and Mr. Doug Herring, the designer of the Hawaii Tartan.

Representative Manahan introduced members of the HPU Graduate Student Organization: Junior Miku Togiola, Glaudia Wagner, Juerger Gross, Ozzy Erkut, Oliva Lin, and Evana Sunanto.

Representative Takai introduced his friend from the Washington DC area, Philip Autrey with Student Online Assessment Resources, or SOAR.

Representative Chang introduced 6th grade students from Haili Christian School in Hilo; their teacher, Ms. Alicia Hui; and chaperones, Cheryl Aruga, Emma McQuate, Cindy Branco, Gwen Breitas, Paula Pua and Leilani Kerr.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	**Referred to:**

85, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Consumer Protection & Commerce
105, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Public Safety & Military Affairs
119	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
125, SD1	Committee on Public Safety & Military Affairs
153	Jointly to the Committee on Health and the Committee on Human Services & Housing
204, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Higher Education
222	Committee on Labor & Public Employment, then to the Committee on Finance
225, SD1	Committee on Tourism & Culture, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following resolutions and concurrent resolution were re-referred to committee by the Speaker:

H.R. Nos.	**Re-referred to:**
60	Committee on Judiciary
154	Committee on International Affairs

S.C.R. No.	**Re-referred to:**
84, SD1	Committee on Education

STANDING COMMITTEE REPORTS

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1779-08) recommending that H.C.R. No. 150, 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. 150, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ESTABLISHMENT OF A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF AND HARD OF HEARING INDIVIDUALS," was adopted, with Representative Nakasone being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1780-08) recommending that H.C.R. No. 167, 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. 167, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was adopted, with Representative Nakasone being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1781-08) recommending that H.C.R. No. 172, 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. 172, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A MANAGEMENT AND FINANCIAL AUDIT OF THE HAWAII PUBLIC HOUSING AUTHORITY'S PUNCHBOWL HOMES FACILITY," was adopted, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented two reports:

(Stand. Com. Rep. No. 1782-08) recommending that H.R. No. 235, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1783-08) recommending that H.C.R. No. 277, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 235, HD 2, and H.C.R. No. 277, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I rise in support of Standing Committee Reports 1782 and 1783. I'd just like to say that I'm going to insert some written comments, but one of the purposes of these Resolutions was to bring people together and also to foster recognition that nurses exist in many different businesses including hospitals, public health, schools and other places. I think from the people you see who supported these Resolutions, we did have a coming together of the nursing community to support this. And the main reason for the Resolutions was to have people realize that our purpose is to increase the supply of well-educated nurses in our community. Thank you."

Representative Lee's written remarks are as follows:

"I rise in support of this measure.

"Several years ago when the shortage of nurses was first identified as a serious problem, the information needed to address the problem was incomplete, scattered, and sometimes conflicting. As a result, decisions to increase the supply of nurses could not be made with confidence.

"In 2003, the Legislature passed Act 198, to create the Hawaii State Center for Nursing. The Center was given the mandate to collect and analyze data, and make recommendations regarding the current status and trends of the nursing workforce; conduct research in best practices and quality outcomes; develop a plan for implementing strategies to recruit and retain nurses; and research, analyze and report data related to the retention of the nursing workforce. We can see in the work that the Center for Nursing has produced that they have very ably done what was asked of them. The data and evidence collected by the Hawaii State Center for Nursing is invaluable in making workforce, policy and resource decisions. This information is well worth the costs born by the nurses in the state to support the Center.

"However, nurses are employed in diverse areas such as hospitals, clinics, offices, the university, community colleges and industry. In some cases, there has been misunderstanding of the purpose of the Center for Nursing, and even a lack of knowledge about the origins of the Center. Nurses themselves lobbied hard to make the Center a reality in 2003.

"These Resolutions call on all nurses, the medical community and business community to work together to achieve the goals of the Center and to focus on producing a well-educated and dedicated workforce for Hawaii. Therefore, I am in strong support.

"The Hawaii State Center for Nursing is currently affiliated with 33 other state centers for nursing that are also doing vital work on workforce development, nurse retention, supporting nursing education and access to education in nursing. The ability to share and collaborate for good data and outcomes is of great benefit to our community."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 235, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 277, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," was adopted, with Representative Nakasone being excused.

Representative Chang, for the Committee on Higher Education presented two reports:

(Stand. Com. Rep. No. 1784-08) recommending that H.R. No. 112, HD 1, be adopted; and

(Stand. Com. Rep. No. 1785-08) recommending that H.C.R. No. 130, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 112, HD 1, and H.C.R. No. 130, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of both measures, stating:

"Mr. Speaker I rise in support of Stand. Com. Nos. 1784 and 1785. Mr. Speaker these Resolutions lift the cap on the Micronesians at the University of Hawaii. I think this is a great beginning, I think it's something that eventually we should lift all caps on all foreign students. I think it's very timely that today we had introduced in the gallery, students from HPU, which is a model of entrepreneurship in academia. They have students from all over the world. We actually put a damper on that. Hopefully, these Resolutions will open that up so we are a center of excellence in education, and no one on this Floor or this body will fear that their constituents will have any competition. I know that's one of the dampening factors. Generally speaking, education is a win-win situation. It drives the economy. It's good will, international relationship-wise and it's good for business for the State. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee were adopted and H.R. No. 112, HD 1, entitled: "HOUSE RESOLUTION RESPECTFULLY REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REMOVE ENROLLMENT CAP RESTRICTIONS ON STUDENT APPLICANTS FROM NATIONS THAT ENTERED INTO A COMPACT OF FREE ASSOCIATION WITH THE UNITED STATES," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 130, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION RESPECTFULLY REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO REMOVE ENROLLMENT CAP RESTRICTIONS ON STUDENT APPLICANTS FROM NATIONS THAT ENTERED INTO A COMPACT OF FREE ASSOCIATION WITH THE UNITED STATES," was adopted, with Representative Nakasone being excused.

Representative Chang, for the Committee on Higher Education presented two reports:

(Stand. Com. Rep. No. 1786-08) recommending that H.R. No. 294, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1787-08) recommending that H.C.R. No. 357, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 294, HD 1, and H.C.R. No. 357, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of H.C.R. 357 and H.R. 294—Requesting the University of Hawaii College of Tropical Agriculture and Human Resources to study the feasibility of constructing a multipurpose, multi-user agricultural products processing facility or facilities.

"Hawai'i agriculture and its value-added products contribute $2.4 billion and more than 28,000 jobs to the State's economy. As sugarcane and pineapple production have declined, diversified crops have become the mainstay of Hawai'i agriculture. The farm-level value of diversified agricultural products has nearly doubled during the past two decades. Diversified agriculture farm revenues, which topped $456 million in 2006, represent 78 percent of our state's total farm revenues, up from only 31 percent in 1986.

"Cacao is a perfect example of one such diversified agricultural product and can only be grown in Hawaii, of all the United States. Each year, the chocolate industry produces $75 billion worldwide. This Legislative Session, I introduced HCR 326 and HR 270 which creates the Cacao Task Force to identify strategies to accelerate the growth of the cacao industry, increase the manufacture and supply of locally grown cacao, promote its use and products, and identify any potential obstacles to the industry.

"Today, the cacao industry is poised to heighten the State's economy with a broad range of job opportunities and increased revenue from diversified agriculture, production and processing, in addition to research and development with the potential to attract federal funds. Cacao possesses a propitious opportunity to develop a new industry in the growing, cultivating, processing, and shipping of Hawaii-grown cacao to the mainland United States and the rest of the world. Additionally, cacao holds the promise of helping the State diversify away from pineapple and sugar cane, markets that have eroded in recent years.

"The availability of one or more facilities through which farmers and agribusinesses can process and package cacao, coffee, and other new products for local, national, and global markets has the potential to substantially increase the contribution that diversified agriculture and value added products make to our State's economy."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 294, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER PROCESSING FACILITY ON THE LAND IN THE

EWA, CENTRAL OAHU AREA BEING OFFERED TO THE HAWAII AGRICULTURE RESEARCH CENTER, FOR THE PRODUCTION OF VALUE-ADDED PRODUCTS THAT MAKE USE OF LOCALLY-GROWN AGRICULTURAL PRODUCTS," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 357, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER PROCESSING FACILITY ON THE LAND IN THE EWA, CENTRAL OAHU AREA BEING OFFERED TO THE HAWAII AGRICULTURE RESEARCH CENTER, FOR THE PRODUCTION OF VALUE-ADDED PRODUCTS THAT MAKE USE OF LOCALLY-GROWN AGRICULTURAL PRODUCTS," was adopted, with Representative Nakasone being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1788-08) recommending that H.C.R. No. 244, 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. 244, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF AGRICULTURE TO ADOPT RULES CONSISTENT WITH FEDERAL LAW TO PROHIBIT THE MEAT PACKING INDUSTRY AND MEAT OR MEAT PRODUCT RETAILERS FROM USING GAS OR OTHER TECHNOLOGY TO EXTEND THE EXPIRATION DATE OF MEAT SOLD IN THE STATE," was adopted, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1789-08) recommending that H.R. No. 158, 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. 158, entitled: "HOUSE RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was adopted, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1790-08) recommending that H.C.R. No. 188, 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. 188, entitled: "HOUSE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH A PROTOCOL AND TRAINING PROGRAM FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was adopted, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented two reports:

(Stand. Com. Rep. No. 1791-08) recommending that H.R. No. 140, be adopted; and

(Stand. Com. Rep. No. 1792-08) recommending that H.C.R. No. 166, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 140 and H.C.R. No. 166, be adopted, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in strong support of HR 140, HCR 166.

"Mr. Speaker, these Resolutions request a study of the creation of a 4th Circuit Court to be located at the Kapolei Court Complex. The purpose of these Resolutions is to research the feasibility behind a 4th Circuit Court or full-service court rather than only a family court, which will be built in Kapolei. My strong support for these Resolutions is threefold:

"First, Kapolei is widely regarded as the “Second City,” in which economic growth and development are being generated faster than that of any other district in the State of Hawaii. As growth continues, the creation of a 4th Circuit Court becomes an access to justice issue. Government, as an agent of foresight, has a responsibility to its citizens of providing them with equal access to justice. Therefore, we should commit a 4th Circuit Court to the residents of the 40th District and West O'ahu in order to provide them with a place to attend to judicial matters.

"As a practicing attorney in the State of Hawaii, I know how important court access is to those who are battling legal disputes. A "no show" in court can constitute irreparable harm to one's legal case. As a Legislative Body, we must ensure that our communities are given equal access to judicial services.

"A second reason I support this resolution is because the creation of a 4th Circuit Court will undoubtedly mitigate the ongoing traffic congestion on the island of O'ahu. In the event a 4th Circuit Court or full-service court was built in Kapolei, many residents from Central O'ahu, the North Shore, as well as West O'ahu would no longer have to commute into town for court. Accordingly, traffic would be significantly reduced on O'ahu because those residents would no longer have to travel into downtown to deal with judicial matters. The creation of a 4th Circuit Court in Kapolei truly makes sense from a big-picture perspective.

"Finally, the creation of a 4th Circuit Court in the Kapolei Court Complex would aid in generating jobs and providing further legal infrastructure for businesses, thus stimulating the economic outlook for the 40th District. The primary focus for Kapolei and the surrounding area continues to be placed on increasing job opportunities and stimulating the local economy. The construction of the new Kapolei Court Complex includes a 123,000 square foot building with over 400 parking stalls for future employees. A full-service court would make this new edifice a fountain of employment opportunity for those seeking positions in government.

"In addition, many law firms would open offices in Kapolei to support additional cases generated from the 4th Circuit Court, thus increasing the number of job opportunities in the Second City and thereby achieving the objective of economic growth. For these reasons, I stand in strong support of these Resolutions. Thank You, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 140, entitled: "HOUSE RESOLUTION REQUESTING A STUDY OF THE CREATION OF A FOURTH CIRCUIT COURT TO BE LOCATED AT THE KAPOLEI COURT COMPLEX," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 166, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A STUDY OF THE CREATION OF A FOURTH CIRCUIT COURT TO BE LOCATED AT THE KAPOLEI COURT COMPLEX," was adopted, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1793-08) recommending that H.C.R. No. 369, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 369, be adopted, seconded by Representative B. Oshiro.

Representative Carroll rose in support of the measure, stating:

"In strong support, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 369, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE MAYOR AND THE COUNTY COUNCIL OF MAUI COUNTY TO CREATE A SEPARATE COUNTY CODE SPECIFICALLY FOR THE ISLAND OF MOLOKAI," was adopted, with Representative Nakasone being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1794-08) recommending that H.R. No. 229, HD 1, as amended in HD 2, 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. 229, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was adopted, with Representative Nakasone being excused.

Representative Morita, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1795-08) recommending that H.C.R. No. 270, HD 1, as amended in HD 2, 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. 270, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AT MANOA GREEN ROOF FEASIBILITY TEAM TO RECOMMEND INCENTIVES THAT MAY BE ESTABLISHED BY THE STATE TO ENCOURAGE GREEN ROOFING," was adopted, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented two reports:

(Stand. Com. Rep. No. 1796-08) recommending that H.R. No. 207, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1797-08) recommending that H.C.R. No. 245, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 207, HD 1, and H.C.R. No. 245, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Stand. Com. No. 1796. Just a brief comment and then I request to place comments into the Journal. It's because of Scotland and other places that want to visit here; the cruise industry is becoming increasingly important. However, the Homeland Security is going to shut us down to the degree that they're making ships stay longer in ports before arriving in Hawaii. So this study hopefully is the beginning, because the industry really needs to be studied. It's really taking the place of a lot of slacking airline tourism."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise in support of HR 207 and HCR 245. Earlier this month, Governor Linda Lingle and Governor Arnold Schwarzenegger told Homeland Security Secretary Michael Chertoff not to accept the proposed rule changes requested by U.S. Bureau of Customs and Border Protection that would cripple our infant cruise industry.

"Our tourist industry is already reeling from the closure of two major airlines that carried nearly 12% of the total 7.3 million tourists to our State last year. This rule change would further harm this industry that our islands are so dependent on economically.

"The change that is proposed would require all foreign-flagged cruise ships to spend at least 48 hours in a foreign port between stops at U.S. ports. In addition, these stops must amount to more than 50 percent of the total amount of time spent at U.S. ports of call and passengers must be allowed to temporarily go to shore at these foreign ports.

"Mr. Speaker, these new restrictions would devastate Hawaii's tourist industry. Under the proposed change, foreign-flagged ships could no longer travel from Honolulu to Kahului without a 48-hour stop at a foreign port, the closest of which is Fanning Island in the Republic of Kiribati, 850 miles south of the Big Island.

"According to Hawaii's Department of Business, Economic Development & Tourism, if this change goes into effect, it could deplete sales by $155 million, decrease labor earnings by $44.4 million and cost Hawaii 1,500 jobs. It would effectively end inter-island cruises as it would leave only one U.S.-flagged carrier, NCL's *The Pride of America*, able to make inter-island stops.

"Despite the effect this new interpretation would have here, our Congressional delegation supports this rule change. We must ask why Inouye, Akaka, Abercrombie, and Hirono would "strongly urge [Bureau of Customs and Border Protection] to move expeditiously to implement [this] interpretive rule." Perhaps they could explain this to the Terminator.

"Mr. Speaker, every other state that is home to a port city with a viable cruise industry opposes this change, including Florida, Alaska, Washington, Maine and Schwarzenegger's California. This change would cost jobs and decrease revenue across the country.

"Let's look at Miami, Florida, for example. It is the world's busiest cruise port. In comments submitted to the Commissioner of Customs and Border Protection, Florida's Governor Charlie Crist stated, "The [cruise] industry generated over 125,000 jobs in 2006, and paid $5 billion in income." He went on to point out that if the rule change is implemented, "Florida would lose cruise port of calls at Ft. Lauderdale, Miami, and would eliminate all the calls in the Key West." The economic hardship felt by this rule change would ripple beyond all the job losses in the state of Florida alone.

"Likewise, in Seattle, Washington, the proposed rule change would have similar consequences. "In 2006," writes Mayor Gregory J. Nickels, "751,000 cruise passengers helped generate $233 million in Seattle's economy, $6.2 million in state and local taxes, and 1,950 jobs." Mayor Nickels continues by noting, "The proposed interpretation would also severely impact other local businesses that support the cruise industry, including tourism-related companies, such as travel agencies, airlines, hotels, restaurants, and other maritime industries such as food processors and ship repairs."

"California Congresswoman, Susan A. Davis has said, "The Port of San Diego's cruise business is an integral part of [the] city's tourism industry, generating $300 million into [this] region's economy...." and, Alaska's Congressman Don Young urged the

Bureau of Customs and Border Protection to reconsider its interpretation of this rule, "I cannot understate the detrimental impact this rule may have upon the State of Alaska, our investments in waterfront infrastructure, our stakeholders, and the future of Alaska's passenger vessel commerce."

"This is a protectionist effort to prop up Norwegian Cruise Lines' waning Hawaii cruise business. As a former Merchant Marine, I understand how vital U.S.-flagged ships are to our security, but I fail to see the logic of protecting this one ship in Hawaii at the expense of our entire cruise industry. To the contrary, this rule change will cost thousands of Americans their jobs and affected states billions in lost revenue.

"Mr. Speaker, whether we like tourism or not, our State's economy has clearly benefited from the cruise industry. Let's not let Homeland Security "deep six" our inter-island cruise industry and negatively affect thousands of Hawaii's citizens and businesses. The Department of Homeland Security should be careful not to indulge in this type of protectionism under the guise of national security, and should listen to Governor Schwarzenegger and Governor Lingle."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 207, HD 1, entitled: "HOUSE RESOLUTION STRONGLY URGING ALL ENTITIES INVOLVED IN THE STUDY, BOTH PUBLIC AND PRIVATE, TO WORK TOGETHER IN GOOD FAITH TO COMPLETE THE ONGOING STUDY ENTITLED THE "HAWAII CRUISE INDUSTRY STUDY," INTENDED TO ASSESS THE CURRENT AND POTENTIAL IMPACTS OF THE CRUISE INDUSTRY ON EACH ISLAND AND THE STATE UNTIL THE YEAR 2018," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 245, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING ALL ENTITIES INVOLVED IN THE STUDY, BOTH PUBLIC AND PRIVATE, TO WORK TOGETHER IN GOOD FAITH TO COMPLETE THE ONGOING STUDY ENTITLED THE "HAWAII CRUISE INDUSTRY STUDY," INTENDED TO ASSESS THE CURRENT AND POTENTIAL IMPACTS OF THE CRUISE INDUSTRY ON EACH ISLAND AND THE STATE UNTIL THE YEAR 2018," was adopted, with Representative Nakasone being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1798-08) recommending that H.C.R. No. 81, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 81, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Herkes rose to speak in support of the measure, stating:

"I rise in support of Stand. Com. Rep. 1798, SCR No. 81, the Tartan Day. I was born in Scotland. I was a British subject until I was 18 years old. I know that the Scots invented the modern world, I have a book that says that.

"The Scots have a huge influence in Hawaii. The Scottish immigrants along with the Germans came over here with the sugar industry. My grandfather designed the first concrete building on the Big Island, the first curved bridge. My grandfather, a Scot, was a licensed engineer, architect surveyor.

"I had the privilege of being in Scotland last May, a guest of the Speaker of the House of Commons, and sat in on the meeting of Parliament. I'm very proud that this Resolution is to be adopted, as a Scot. Aye."

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I also speak in strong support of this measure. My grandfather, a number of generations ago, Patrick Henry, was born in Aberdeen, Scotland and then immigrated to the colonies to freedom. So I'm very much in support of this, and I believe we have another person from Scotland in the body and I hope he'll say a few comments."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much, lads. I stand in strong support of ye Resolution. I'd just like to say this Resolution is like fine haggis on a dew Scot morning. Delicious. Thank you."

Representative Ching rose to speak in support of the measure, stating:

"As the founder of the Heritage Caucus, I absolutely do share some Scottish blood, and I know what haggis is. And as a former member of the Caledonian Society, haggis is something that… I don't know. It's like *natto* bean, maybe. Anyway, in strong support. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 81, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE DESIGNATION OF APRIL 6TH OF EVERY YEAR AS TARTAN DAY IN HAWAII," was adopted, with Representative Nakasone being excused.

Representatives Morita and Waters, for the Committee on Energy & Environmental Protection and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1799-08) recommending that H.C.R. No. 350, 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. 350, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REASSESS ITS DECISION TO REQUIRE AN ENVIRONMENTAL ASSESSMENT FOR WORK BEING DONE BY THE GAS COMPANY TO EXTEND A UTILITY GAS LINE UNDER MOANALUA ROAD FOR KAISER PERMANENTE AND MOANALUA MEDICAL CENTER," was adopted, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1800-08) recommending that H.R. No. 39, HD 1, as amended in HD 2, 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. 39, HD 2, entitled: "HOUSE RESOLUTION CONDEMNING THE HUMAN RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO PROTECT THE CHILDREN OF UGANDA," was adopted, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1801-08) recommending that H.C.R. No. 39, 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. 39, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION CONDEMNING THE HUMAN RIGHTS ATROCITIES AND VIOLENCE AGAINST CHILDREN IN NORTHERN UGANDA AND URGING CONGRESS TO LEAD THE INTERNATIONAL COMMUNITY IN EFFORTS TO

PROTECT THE CHILDREN OF UGANDA," was adopted, with Representative Nakasone being excused.

Representative Waters, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1802-08) recommending that H.C.R. No. 173, 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. 173, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY AND RECOMMEND WHETHER LEGISLATION ESTABLISHING A REVOCABLE BENEFICIARY DEED SHOULD BE ENACTED IN HAWAII," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1803-08) recommending that H.R. No. 20, 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. 20, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO PROVIDE ADULT RESIDENTIAL CARE HOME OPERATORS WITH THE SERVICES NECESSARY TO ASSIST THEM IN PROVIDING CARE FOR ADULTS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1804-08) recommending that H.C.R. No. 20, 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. 20, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO PROVIDE ADULT RESIDENTIAL CARE HOME OPERATORS WITH THE SERVICES NECESSARY TO ASSIST THEM IN PROVIDING CARE FOR ADULTS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1805-08) recommending that H.R. No. 21, 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. 21, HD 1, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1806-08) recommending that H.C.R. No. 21, 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. 21, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1807-08) recommending that H.R. No. 50, 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. 50, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1808-08) recommending that H.C.R. No. 51, 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. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1809-08) recommending that H.R. No. 59, HD 1, be adopted; and

(Stand. Com. Rep. No. 1810-08) recommending that H.C.R. No. 68, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 59, HD 1, and H.C.R. No. 68, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Rhoads rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I need to request a ruling on a potential conflict of interest on HR 59, and HCR 68, Requesting the Board of Land and Natural Resources to assist in Pacific Gateway Center in Finding an Appropriate Location to Lease. I'm a member of the Board of Directors of the Pacific Gateway Center. Mahalo," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 59, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ASSIST THE PACIFIC GATEWAY CENTER IN FINDING AN APPROPRIATE LOCATION TO LEASE FOR THE PURPOSE OF DEVELOPING THE KE'EHI COMMUNITY RESOURCE CENTER," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 68, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL RESOURCES TO ASSIST THE PACIFIC GATEWAY CENTER IN FINDING AN APPROPRIATE LOCATION TO LEASE FOR THE PURPOSE OF DEVELOPING THE KE'EHI COMMUNITY RESOURCE CENTER," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1811-08) recommending that H.C.R. No. 60, 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. 60, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROVIDE AN INVENTORY OF CAMPING FACILITIES AND CAMPSITES AVAILABLE STATEWIDE AND REPORT ON THE CONDITIONS OF, AND PROBLEMS ASSOCIATED WITH, EXISTING CAMPING FACILITIES AND CAMPSITES IN THE STATE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1812-08) recommending that H.C.R. No. 75, 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. 75, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO ESTABLISH A WORKING GROUP TO EVALUATE HAWAII'S FOOD READINESS AND FOOD SECURITY IN RESPONSE TO NATURAL OR MAN-MADE DISASTERS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1813-08) recommending that H.C.R. No. 76, 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. 76, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY TO DEVELOP A STRATEGY TO FULLY TRANSITION ITS FACILITY TO RENEWABLE ENERGY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1814-08) recommending that H.R. No. 67, 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. 67, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1815-08) recommending that H.C.R. No. 83, 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. 83, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES STUDY AND EVALUATE ALTERNATIVE METHODS OF UPGRADING THE STATE'S PAYROLL AND PERSONNEL SYSTEMS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1816-08) recommending that H.R. No. 98, 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. 98, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1817-08) recommending that H.C.R. No. 115, 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. 115, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF DESIGN AND CONSTRUCTION OF THE CITY AND COUNTY OF HONOLULU TO CONDUCT A STUDY ON THE REPAIRING AND REPAVING OF SURFACE STREETS ALONG FARRINGTON HIGHWAY IN LEEWARD OAHU," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1818-08) recommending that H.R. No. 101, be adopted; and

(Stand. Com. Rep. No. 1819-08) recommending that H.C.R. No. 119, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 101 and H.C.R. No. 119, be adopted, seconded by Representative B. Oshiro.

Representative Yamane rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamane's written remarks are as follows:

"I am standing in strong support. Hawaii needs a School of Public Health because of our strategic position in the Pacific and our access to various cultures. Hawaii would benefit by having a public health institution that would bring in valuable research monies, but also promote Hawaii's healthy lifestyle."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 101, entitled: "HOUSE RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 119, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1820-08) recommending that H.R. No. 117, 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. 117, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A PLAN TO ESTABLISH A STATEWIDE INMATE CONSERVATION CORPS PILOT PROGRAM," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1821-08) recommending that H.C.R. No. 136, 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. 136, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A PLAN TO ESTABLISH A STATEWIDE INMATE CONSERVATION CORPS PILOT PROGRAM," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1822-08) recommending that H.R. No. 131, 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. 131, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1823-08) recommending that H.C.R. No. 158, 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. 158, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII BOARD OF REGENTS TO STUDY THE FEASIBILITY AND BENEFITS OF ALLOWING THE CAMPUS CEILING FOR NONRESIDENT ENROLLMENTS TO BE SET ON A CAMPUS-BY-CAMPUS BASIS, OR ALTERNATIVELY, OF LIFTING THE CEILINGS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1824-08) recommending that H.C.R. No. 170, 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. 170, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1825-08) recommending that H.R. No. 157, 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. 157, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1826-08) recommending that H.C.R. No. 187, 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. 187, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE FEASIBILITY OF IMPLEMENTING A SMOKING CESSATION BENEFIT TO HAWAII QUEST BENEFICIARIES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1827-08) recommending that H.R. No. 190, be adopted; and

(Stand. Com. Rep. No. 1828-08) recommending that H.C.R. No. 223, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 190 and H.C.R. No. 223, be adopted, seconded by Representative B. Oshiro.

Representative Awana rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support.

"As a lifelong resident of the Waianae coast and a former member of the Waianae coast Neighborhood Board, this measure has been an ongoing concern for decades. The junction at Farrington and Hakimo creates a hazard when large vehicles turn into Hakimo – oncoming lanes are overtaken and this has caused traffic accidents in the past.

"Hopefully, this measure will help to resolve jurisdictional challenges between the City and State governments – each one currently claims the other is responsible to address this matter. This bill is a step in the right direction. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 190, entitled: "HOUSE RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 223, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES, IN CONJUNCTION WITH THE HONOLULU DESIGN AND CONSTRUCTION DEPARTMENT AND THE STATE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF REALIGNING HAKIMO ROAD AT THE JUNCTION WITH FARRINGTON HIGHWAY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1829-08) recommending that H.R. No. 191, be adopted; and

(Stand. Com. Rep. No. 1830-08) recommending that H.C.R. No. 224, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 191 and H.C.R. No. 224, be adopted, seconded by Representative B. Oshiro.

Representative Awana rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Awana's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support. An alternate route out of the Waianae Coast continues to be a hot button item for commuters familiar to this area. Previous Administrations have gone as far as looking into the feasibility of an alternate route.

"As a former member of the Waianae Coast Neighborhood Board – Transportation Chair, I lobbied the Oahu Metropolitan Planning Organization into placing an alternate road out of the Waianae Coast on the 2030 project list. Reviewing prior studies and updating the cost implications would greatly assist in gathering data previously obtained by the Department of Transportation with limited cost ramifications to compile this information. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 191, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 224, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO REVIEW AND UPDATE PRIOR STUDIES RELATING TO THE IDENTIFICATION AND FEASIBILITY OF AN ALTERNATE ROUTE INTO AND OUT OF THE WAIANAE COAST ON OAHU," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1831-08) recommending that H.R. No. 192, 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. 192, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1832-08) recommending that H.C.R. No. 225, 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. 225, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO PROVIDE A COMPREHENSIVE REPORT OF POST FELIX CONSENT DECREE CHILD AND ADOLESCENT MENTAL HEALTH SERVICES AND FUNDING," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1833-08) recommending that H.R. No. 198, HD 1, be adopted; and

(Stand. Com. Rep. No. 1834-08) recommending that H.C.R. No. 235, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 198, HD 1, and H.C.R. No. 235, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of both measures, stating:

"In strong support, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 198, HD 1, entitled: "HOUSE RESOLUTION SUPPORTING FEDERAL TAX INCENTIVES TO ENCOURAGE THE USE OF RENEWABLE ENERGY SOURCES," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 235, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL TAX INCENTIVES TO ENCOURAGE THE USE OF RENEWABLE ENERGY SOURCES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1835-08) recommending that H.R. No. 200, 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. 200, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1836-08) recommending that H.C.R. No. 237, 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. 237, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, WITH THE ASSISTANCE OF THE DEPARTMENT OF TRANSPORTATION, TO STUDY THE FEASIBILITY OF A PRIVATE-PUBLIC PARTNERSHIP TO DEVELOP A BOAT MARINA NEAR KEEHI LAGOON," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1837-08) recommending that H.R. No. 209, 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. 209, entitled: "HOUSE RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1838-08) recommending that H.C.R. No. 247, 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. 247, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO ENACT LEGISLATION TO WAIVE SINGLE STATE AGENCY REQUIREMENTS WITH REGARD TO THE ADMINISTRATION OF FUNDS UNDER THE HOMELAND SECURITY GRANT PROGRAM," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1839-08) recommending that H.C.R. No. 258, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 258, be adopted, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure, stating:

"Mr. Speaker, I'd like to address Stand. Com. Rep. 1839, in favor. The procedures laid out by the parties working with the Office of State Planning may provide a road map for other beaches, where abutting owners encourage the growth of vegetation that may narrow the beach. So I encourage my colleagues to please vote for this measure. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO COORDINATE THE CITY AND STATE AGENCIES IN ADDRESSING THE OVERGROWTH OF VEGETATION ON KAHALA BEACH," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1840-08) recommending that H.R. No. 221, 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. 221, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAII COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1841-08) recommending that H.C.R. No. 260, 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. 260, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAII COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1842-08) recommending that H.R. No. 225, 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. 225, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1843-08) recommending that H.C.R. No. 265, 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. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1844-08) recommending that H.R. No. 242, be adopted; and

(Stand. Com. Rep. No. 1845-08) recommending that H.C.R. No. 290, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 242 and H.C.R. No. 290, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of House Concurrent Resolution 290 and House Resolution 242 - Relating to the establishment of a debit card pilot program.

"Providing purchasing power at the classroom level through the debit cards will help address the supplies problem. The time has come to give teachers the choice of where and how they need to spend their allotted funds for classroom supplies.

"Every child is unique and has different learning skills and needs, and one size doesn't fit all. Debit cards liberate teachers to be free in their way of reaching children. Elements of innovation are a must in a classroom, and debit cards provide teachers with a means to achieve creativity in their curriculums.

"Debit card systems, by allowing teachers to make specific purchases within a set dollar limit, help teachers streamline the process for purchasing school and curriculum support supplies by shortening the wait time between ordering and obtaining a product and by eliminating the time lag for reimbursement of out-of-pocket expenses. Further, debit cards in schools provide teachers with flexibility for their purchases, which would allow them to take advantage of school discounts and sales in the community; thereby, in the long-run saving precious dollars by allowing flexibility and improving curriculum, providing autonomy for teachers. Debit cards also allow up-to-date tracking and spending information that may be easily monitored and reviewed by principals, administration and taxpayers to track and ensure teachers' spending, ensuring transparency.

"Lastly, debit cards encourage, foster, and nurture relationships between businesses in a school's community and the school. As

members of an island state, relationships help us succeed and contribute to the success of a community as a whole. When we reach out to the 'mom and pop' stores within a community, they will be more inclined to support and get involved with the school in the future. Community relationships will strengthen with a debit card program, as well as boost morale and serve as an appealing tool to recruit teachers.

"It is our responsibility as the State of Hawaii to prepare each child to succeed in today's society and work force. This pilot program would allow the State sufficient time to study the effectiveness of debit cards in our schools and make adjustments to the program, as needed. 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. 242, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 290, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO ESTABLISH A PILOT PROGRAM TO ALLOW PUBLIC SCHOOL PRINCIPALS TO USE A DEBIT CARD SYSTEM FOR PURCHASING SCHOOL SUPPLIES AND OTHER RELATED CURRICULUM SUPPORT SUPPLIES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1846-08) recommending that H.R. No. 246, 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. 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 adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1847-08) recommending that H.C.R. No. 295, 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. 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 adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1848-08) recommending that H.R. No. 252, 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. 252, entitled: "HOUSE RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1849-08) recommending that H.C.R. No. 302, 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. 302, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF TRANSPORTATION TO ADOPT A "COMPLETE STREETS" POLICY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1850-08) recommending that H.C.R. No. 306, 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. 306, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF PLANNING TO ESTABLISH A TEMPORARY HAWAII SUSTAINABLE INTERISLAND TRANSPORTATION TASK FORCE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1851-08) recommending that H.C.R. No. 314, 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. 314, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND ADMINISTER A REHABILITATIVE AND RELATED SERVICES GRADUATE SCHOOL LOAN PROGRAM WITHIN ITS CENTER ON DISABILITY STUDIES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1852-08) recommending that H.C.R. No. 329, 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. 329, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PROVIDE OPPORTUNITIES FOR STUDENTS TO LEARN ABOUT HAWAII LABOR HISTORY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1853-08) recommending that H.R. No. 293, 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. 293, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1854-08) recommending that H.C.R. No. 356, 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. 356, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF AGRICULTURE TO CONSULT WITH OTHER PUBLIC AND PRIVATE ENTITIES TO DEVELOP A PLAN TO OPTIMIZE THE USE OF THE KULA VACUUM COOLING PLANT," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1855-08) recommending that H.C.R. No. 358, 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. 358, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO SOLICIT PUBLIC INPUT AND EXAMINE METHODS OTHER THAN THE PUBLIC PROCUREMENT CODE PROCESS TO OVERSEE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS' EXPENDITURES AND ENSURE PROPER CHECKS AND BALANCES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1856-08) recommending that H.R. No. 297, be adopted; and

(Stand. Com. Rep. No. 1857-08) recommending that H.C.R. No. 361, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 297 and H.C.R. No. 361, be adopted, seconded by Representative B. Oshiro.

Representative Carroll rose in support of both measures, stating:

"In strong support, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 297, entitled: "HOUSE RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was adopted, with Representative Nakasone being excused; and

H.C.R. No. 361, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE MAUI COUNTY CIVIL DEFENSE AGENCY TO PREPARE A DISASTER CONTINGENCY PLAN TO MAINTAIN CONTINUED TRANSPORTATION ACCESS ALONG THE HANA HIGHWAY, INCLUDING ITS ONE-LANE BRIDGES, DURING CATASTROPHIC EVENTS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1858-08) recommending that H.R. No. 298, 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. 298, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS IN JEOPARDY OF LOSING THEIR PROPERTY DUE TO COSTS ASSOCIATED WITH RECOVERING FROM NATURAL OR MAN-MADE DISASTERS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1859-08) recommending that H.C.R. No. 362, 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. 362, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COUNTIES TO CONSIDER ESTABLISHING REAL PROPERTY TAX HARDSHIP EXEMPTIONS TO ASSIST RESIDENTIAL PROPERTY TAXPAYERS IN JEOPARDY OF LOSING THEIR PROPERTY DUE TO COSTS ASSOCIATED WITH RECOVERING FROM NATURAL OR MAN-MADE DISASTERS," was adopted, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1860-08) recommending that H.C.R. No. 175, as amended in HD 1, be adopted.

Representative Evans moved that notwithstanding the recommendations contained in Standing Committee Report No. 1860-08, that H.C.R. No. 175, HD 1, be recommitted to the Committee on Public Safety & Military Affairs, seconded by Representative Har.

The motion was put to vote by the Chair and carried, and H.C.R. No. 175, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO FORM A TASK FORCE TO STUDY THE INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN AND RELATED ISSUES AND TO RECOMMEND THE STATE'S MOST APPROPRIATE COURSE OF ACTION RELATING TO THE INTERSTATE COMPACT," was recommitted to the Committee on Public Safety & Military Affairs, with Representative Nakasone being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1861-08), recommending that S.C.R. No. 94, 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 S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1862-08), recommending that S.C.R. No. 180, 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 S.C.R. No. 180, entitled: "SENATE 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 Representative Nakasone being excused.

Representative Chang, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 1863-08), recommending that S.C.R. No. 184, 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 S.C.R. No. 184, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I TO REPORT ON HIGHER EDUCATION STUDENT FINANCIAL ASSISTANCE COMMISSIONS," was referred to the Committee on Finance, with Representative Nakasone being excused.

Representatives Chang and Takumi, for the Committee on Higher Education and the Committee on Education presented a report

(Stand. Com. Rep. No. 1864-08), recommending that S.C.R. No. 120, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committees be adopted, and that S.C.R. No. 120, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure, stating:

"Mr. Speaker, I am in strong support."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAIʻI AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," was referred to the Committee on Finance, with Representative Nakasone being excused.

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

H.B. No. 2908, SD 1
H.B. No. 3161, SD 3

At 12:31 o'clock p.m., Representative B. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:32 o'clock p.m.

H.B. No. 2908, S.D. 1:

Representative Caldwell moved that H.B. No. 2908, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to this measure. This is a measure that would require the Auditor to submit an annual report to the Legislature identifying all audit recommendations more than one year old that have not been implemented. It requires all the affected agencies notified by the Auditor that an audit recommendation more than one year old has not been implemented. They must then submit a written report to the Auditor.

"There are parts of it I like. I think the problem that I have with it is, number one, the Auditor has to hire more people to do this and I'm not sure how much that would be.

"The other thing I'm not comfortable with is that this section on page 3 of the bill says, 'Any agency that is notified by the Auditor that it has not implemented a recommendation made pursuant to this Chapter more than one year prior shall submit a written report. The department officer, agency of the State or political subdivision that is the subject of an audit performed pursuant to this Chapter shall provide updates on its progress and implementing recommendations made by the Auditor at intervals prescribed by the Auditor.'

"I just feel like this is giving so much more power to the Auditor. In the State of Hawaii our Auditor is not a State Auditor. The Auditor's Office is under the Legislature, so she's more of a Legislative Auditor. I don't know that she is as neutral as she might be if she was the State Auditor. And for those reasons, I'll be voting no. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"I also rise with brief remarks against this measure. Mr. Speaker, I think accountability is really good between the Executive and the Legislative, except this bill blurs the lines to the degree of the one who diagnoses, a diagnostician, is not a policeman, or a policewoman in this case. And what we've got here is turning the Auditor into a policewoman.

"I think that it goes slightly over the line, and the Executive keeps the different departments in line and this is going to turn our Auditor into someone who's going to do enforcement; enforcement through reporting and enforcement through watching over as a policeman would do his or her beat which seems to be a little bit over the boundary. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Very briefly, I just wanted to respond, this bill is actually based off of a model enacted in California in 2006. And I think the reason that we have this is it really isn't about enforcement. Enforcement still remains within the purview of the Legislature. We are the policy makers. We are the ones that implement and act on policy.

"Instead what the Auditor would be doing is monitoring, and I really don't see what the problem with her ability to monitor, and actively and accurately report to us whether her recommendations are being followed or not. It's merely information that's going to be provided, and if the departments and/or agencies are complying with that, then there really isn't a problem.

"However for some reason, if the Auditor has made a recommendation and the agency has deemed not to follow it or has delayed that following or implementation of the recommendation, I think it's wholly appropriate for us as the Legislature to know why they haven't done it, or when they plan to do it because overall, what we're talking about is budgeting, and whether we're going to continue to spend money, go down the wrong path, and sometimes I think our recommendations clearly point out when the agencies are doing so. And that information is crucial for us in order for us to make a proper and balanced decision. So for those reasons, I support it. Thank you."

Representative Waters rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I think the good Representative from the East side may be suffering from IFMH, an Irrational Fear of Marion Higa."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, rising with reservations and a couple of comments. Mr. Speaker, I'm concerned about the costs, the added work load for the departments, and the added staff the Auditor will have to bring in. But there may be a shining light. I believe that there have been some spot audits of the Department of Education through the years and it would be wonderful to be able to shed some light on

why the Auditor's recommendations to the Department of Education have not been implemented and maybe this will help us improve our education system. Thank you."

Representative Meyer rose to respond, stating:

"Thank you, Vice Speaker. I just wanted to add something more to the California law. The California law was enacted in 2006; however the California Auditor has stated that right now it's still too early to gage the success or failure of this program. So it probably would have been more prudent to give it a little more time, see how successful this effort really is. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2908 and H.B. No. 2908, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AUDIT RECOMMENDATIONS," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Finnegan, Meyer, Pine and Ward voting no, and with Representative Nakasone being excused.

H.B. No. 3161, S.D. 3:

Representative Caldwell moved that H.B. No. 3163, SD 3, pass Final Reading, seconded by Representative B. Oshiro.

Representative Green rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I would just like to a request on a ruling of possible conflict of interest. I care for patients at two of these hospitals," and the Chair ruled, "no conflict."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"I would also like a ruling on a potential conflict. At my law firm, I represent HHSC in matters of procurement, but nothing under this bill," and the Chair ruled, "no conflict."

Representative Mizuno rose to disclose a potential conflict of interest, stating:

"I'd like to disclose a possible conflict. My spouse is employed part time at HHSC. Thank you," and the Chair ruled, "no conflict."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in strong support, but I'm a little disappointed that we've taken this long. This was an emergency appropriation. The Hawaii Health Systems Corporation testified very early in the Session about their need for emergency funding and this just seems like it was slow in coming out for an emergency. Thank you."

Representative Sagum rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Sagum's written remarks are as follows:

"Mr. Speaker, I rise in support of HB 3161 SD3: Making an Emergency Appropriation to the Hawaii Health Systems Corporation.

"Since I am a Representative from a rural area, I know that it is essential that the Hawaii Health Systems Corporation be able to maintain its current levels of essential acute care, long-term care and rural healthcare services. This bill for emergency appropriations was to assist the hospitals to pay current, essential vendors, reduce payable days, and assure current levels of service in the HHSC facilities.

"The debts incurred by the hospitals are caused by various factors, a major part of which is that public healthcare providers take on more and more of the rising medical costs because of inadequate reimbursements.

"The Senate version of the bill restores $11 million for Maui Memorial Hospital, and allocates a total of $25 million to the Hawaii Health Systems Corporation. I wholeheartedly agree with the increase for Maui and strongly support HB 3161, SD3. Thank you, Mr. Speaker."

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. I just wanted to inform my colleagues on the left of me that actually, this is an emergency appropriation that was generated by the Legislative branch. In fact, the Executive branch did not come up with a bill for emergency appropriation for HHSC. So I would encourage our colleagues to urge the Governor to sign this measure as quickly as possible. And I'd like to thank the people in the Legislature, both the House and the Senate, for having the fortitude and for their support of the Hawaii Health Systems Corporation. Thank you."

Representative Ching rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of House Bill 3161, which proposes to grant the Hawaii Health Systems Corporation an emergency appropriation to enable them to pay current, essential vendors, reduce their accounts payable days to an acceptable level, and allow for uninterrupted operation and the provision of current levels of service.

"Hawaii Health Systems is Hawaii's safety net and is required to provide medical services to the entire community. They provide medical services in major hospitals, as well as in remote areas. Services are provided without regard to the patient's ability to pay for services. The Hawaii Health Systems Corporation facilities have a tremendous impact on the public, in acute, long-term care and rural health care.

"This State authorized safety-net hospital system relies on private insurance and public program reimbursements that are increasingly inadequate, and on State supplemental funding for those who cannot afford to pay for care. HHSC would be unable to sustain services at current levels without additional funding. This emergency appropriation is necessary to ensure that vital healthcare services are provided to those in need, through the HHSC system of hospitals."

Representative M. Oshiro rose in support of the measure, stating:

"In strong support. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 3161 and H.B. No. 3161, S.D. 3, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

At 12:40 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2908, SD 1
H.B. No. 3161, SD 3

ANNOUNCEMENTS

Representative Thielen: "Thank you, Mr. Speaker. I was a week ahead of myself. Our annual Hemp Aloha Friday day is a week from tomorrow. So that gives Neighbor Islanders time to bring their hemp shirts back over to Oahu. Thank you."

Representative Shimabukuro: "I just wanted to send a sincere thanks out to the House for organizing a surprise baby shower for me yesterday. The organizers were my staff, Tracy Okubo from Minority Research, and Representative Rhoads, my Vice Chair's office. And I just wanted to thank all the House Members and their staff, the Clerk's Office, Sergeant at Arms, everyone else that helped with their gifts and contributions.

"You really got me because I thought I was being taken to a leadership meeting so I know Representative Caldwell was in on this too. So I was really grouchy and hungry going to what I thought was another Chair's leadership meeting. But thank you, everyone."

Representative Ward: "According to the Habitat for Humanity, there is a nail driving contest at 1:30 today. And for all of those of you who build shelters, or are in the building trade, I challenge you to drive the point home about the need for more affordable housing of which they are providing. Thank you, Mr. Speaker."

Vice Speaker Chong: "The Chair would like to make one announcement. On behalf of myself, Representative Yamashita and Representative Tsuji, thank you to everyone who supported the Bizarre Bazaar yesterday to support the Foodbank."

ADJOURNMENT

At 12:43 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, April 11, 2008. (Representatives Nakasone and Sonson were excused.)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 603 through 605) were received by the Clerk:

[Note: In accordance with the motion to disagree to Senate amendments to House bills, the House received the following bills and disagreed to the Senate amendments.]

Sen. Com. No. 603, transmitting H.B. No. 661, H.D. 1, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," which passed Third Reading in the Senate on April 10, 2008.

Sen. Com. No. 604, transmitting H.B. No. 2521, H.D. 2, S.D. 3, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," which passed Third Reading in the Senate on April 10, 2008.

Sen. Com. No. 605, transmitting H.B. No. 3150, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," which passed Third Reading in the Senate on April 10, 2008.

HOUSE COMMUNICATIONS

House Communication dated April 10, 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 Speaker has this day appointed as Conferees on the part of the House for the consideration of amendments proposed by the Senate to the following House Bill:

2500, HD 1, SD 1	M. Oshiro, Chr.; Lee, Awana, Belatti, Brower, Carroll, Hanohano, Har, Karamatsu, Magaoay, Manahan, Mizuno, Nakasone, Rhoads, Sagum, Tokioka, Meyer, Pine, Ward
2700, HD 1, SD 2	Waters/M. Oshiro, Co-Chrs.; Meyer

House Communication dated April 10, 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 made the following changes to the conferees on the following measures:

S.B. No. 1447, SD 2, HD 2	Representative Ward replaced Representative Awana as conferee.

House Communication dated April 10, 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 proposed by the Senate to the following House bills:

H.B. No. 7, H.D. 1, S.D. 1
H.B. No. 94, H.D. 1, S.D. 2
H.B. No. 362, H.D. 1, S.D. 1
H.B. No. 466, H.D. 1, S.D. 2
H.B. No. 509, H.D. 2, S.D. 2
H.B. No. 516, H.D. 1, S.D. 1
H.B. No. 523, H.D. 2, S.D. 1
H.B. No. 602, H.D. 2, S.D. 2
H.B. No. 660, S.D. 1
H.B. No. 661, H.D. 1, S.D. 3
H.B. No. 1037, H.D. 1, S.D. 1
H.B. No. 1365, S.D. 2
H.B. No. 1402, H.D. 2, S.D. 2
H.B. No. 1412, H.D. 1, S.D. 1
H.B. No. 1745, H.D. 3, S.D. 1
H.B. No. 1978, H.D. 1, S.D. 1
H.B. No. 2003, S.D. 1
H.B. No. 2005, H.D. 1, S.D. 3
H.B. No. 2009, S.D. 1
H.B. No. 2040, S.D. 2
H.B. No. 2045, S.D. 1
H.B. No. 2047, H.D. 2, S.D. 2
H.B. No. 2085, H.D. 1, S.D. 2
H.B. No. 2137, H.D. 2, S.D. 3
H.B. No. 2139, H.D. 2, S.D. 1
H.B. No. 2164, H.D. 1, S.D. 1
H.B. No. 2196, H.D. 2, S.D. 2
H.B. No. 2204, H.D. 1, S.D. 1
H.B. No. 2224, H.D. 1, S.D. 2
H.B. No. 2238, H.D. 1, S.D. 1
H.B. No. 2245, H.D. 1, S.D. 2
H.B. No. 2253, H.D. 2, S.D. 1
H.B. No. 2255, H.D. 2, S.D. 2
H.B. No. 2256, H.D. 2, S.D. 1
H.B. No. 2261, H.D. 2, S.D. 1
H.B. No. 2263, S.D. 1
H.B. No. 2271, H.D. 1, S.D. 2
H.B. No. 2272, H.D. 2, S.D. 2
H.B. No. 2293, H.D. 1, S.D. 2
H.B. No. 2302, H.D. 2, S.D. 2
H.B. No. 2346, H.D. 2, S.D. 2
H.B. No. 2372, H.D. 2, S.D. 2
H.B. No. 2376, H.D. 1, S.D. 1

H.B. No. 2386, S.D. 2
H.B. No. 2387, H.D. 1, S.D. 2
H.B. No. 2388, H.D. 1, S.D. 2
H.B. No. 2395, H.D. 1, S.D. 2
H.B. No. 2408, H.D. 1, S.D. 2
H.B. No. 2415, H.D. 1, S.D. 2
H.B. No. 2429, H.D. 2, S.D. 2
H.B. No. 2436, H.D. 2, S.D. 2
H.B. No. 2438, H.D. 2, S.D. 2
H.B. No. 2450, H.D. 1, S.D. 2
H.B. No. 2456, H.D. 2, S.D. 1
H.B. No. 2473, H.D. 2, S.D. 2
H.B. No. 2486, S.D. 1
H.B. No. 2500, H.D. 1, S.D. 1
H.B. No. 2505, H.D. 2, S.D. 2
H.B. No. 2506, H.D. 2, S.D. 2
H.B. No. 2507, H.D. 1, S.D. 2
H.B. No. 2511, H.D. 1, S.D. 2
H.B. No. 2519, H.D. 2, S.D. 2
H.B. No. 2520, H.D. 3, S.D. 2
H.B. No. 2521, H.D. 2, S.D. 3
H.B. No. 2526, S.D. 2
H.B. No. 2527, H.D. 1, S.D. 1
H.B. No. 2531, H.D. 1, S.D. 2
H.B. No. 2540, H.D. 1, S.D. 1
H.B. No. 2547, S.D. 1
H.B. No. 2550, H.D. 2, S.D. 2
H.B. No. 2557, H.D. 1, S.D. 1
H.B. No. 2587, H.D. 1, S.D. 1
H.B. No. 2589, H.D. 2, S.D. 2
H.B. No. 2605, H.D. 2, S.D. 1
H.B. No. 2614, S.D. 1
H.B. No. 2661, H.D. 2, S.D. 2
H.B. No. 2672, H.D. 2, S.D. 1
H.B. No. 2685, H.D. 1, S.D. 1
H.B. No. 2687, H.D. 1, S.D. 2
H.B. No. 2698, H.D. 3, S.D. 1
H.B. No. 2699, H.D. 1, S.D. 1
H.B. No. 2700, H.D. 1, S.D. 2
H.B. No. 2704, H.D. 2, S.D. 1
H.B. No. 2710, H.D. 2, S.D. 2
H.B. No. 2729, H.D. 1, S.D. 1
H.B. No. 2739, H.D. 1, S.D. 2
H.B. No. 2770, H.D. 1, S.D. 2
H.B. No. 2772, H.D. 3, S.D. 1
H.B. No. 2781, H.D. 2, S.D. 2
H.B. No. 2811, S.D. 2
H.B. No. 2843, H.D. 2, S.D. 2
H.B. No. 2863, H.D. 2, S.D. 2
H.B. No. 2872, S.D. 2
H.B. No. 2881, H.D. 2, S.D. 2
H.B. No. 2894, S.D. 1
H.B. No. 2922, H.D. 1, S.D. 2
H.B. No. 2929, H.D. 1, S.D. 1
H.B. No. 2953, S.D. 1
H.B. No. 2955, H.D. 1, S.D. 1
H.B. No. 2961, H.D. 2, S.D. 2
H.B. No. 2965, H.D. 2, S.D. 2
H.B. No. 2971, H.D. 1, S.D. 2
H.B. No. 2972, H.D. 1, S.D. 2
H.B. No. 2977, H.D. 1, S.D. 1
H.B. No. 2978, H.D. 1, S.D. 2
H.B. No. 2998, H.D. 1, S.D. 2
H.B. No. 3002, H.D. 1, S.D. 1
H.B. No. 3011, H.D. 1, S.D. 1
H.B. No. 3016, H.D. 3, S.D. 2
H.B. No. 3040, H.D. 1, S.D. 1
H.B. No. 3059, H.D. 1, S.D. 3
H.B. No. 3120, H.D. 2, S.D. 1
H.B. No. 3126, S.D. 2
H.B. No. 3140, S.D. 2
H.B. No. 3150, H.D. 2, S.D. 1
H.B. No. 3151, H.D. 2, S.D. 1
H.B. No. 3173, H.D. 1, S.D. 1
H.B. No. 3176, H.D. 1, S.D. 2
H.B. No. 3177, H.D. 1, S.D. 2
H.B. No. 3178, S.D. 2
H.B. No. 3179, S.D. 1
H.B. No. 3191, H.D. 1, S.D. 2
H.B. No. 3196, H.D. 1, S.D. 2
H.B. No. 3197, S.D. 1
H.B. No. 3249, H.D. 1, S.D. 1
H.B. No. 3331, H.D. 2, S.D. 2
H.B. No. 3348, H.D. 2, S.D. 2
H.B. No. 3352, H.D. 2, S.D. 2
H.B. No. 3367, H.D. 2, S.D. 2
H.B. No. 3377, S.D. 2
H.B. No. 3383, S.D. 1
H.B. No. 3386, H.D. 1, S.D. 2
H.B. No. 3407, H.D. 1, S.D. 1
H.B. No. 3422, H.D. 2, S.D. 1

House Communication dated April 10, 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 following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 2908, SD 1
H.B. No. 3161, SD 3

FORTY-EIGHTH DAY

Friday, April 11, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Chaplain Major Scott Kennedy, Schofield Barracks, after which the Roll was called showing all members present with the exception of Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro, Souki and Yamashita, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Seventh Day was deferred.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 606 through 620) were received and announced by the Clerk:

Sen. Com. No. 606, transmitting S.C.R. No. 17, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO DEVELOP AND ADOPT ADMINISTRATIVE RULES REGARDING THE CREATION AND ENFORCEMENT OF LIMITS FOR THE COLLECTION OF ORNAMENTAL REEF FISH AND URGING THE ESTABLISHMENT OF FISH REPLENISHMENT AREAS FOR THE WATERS OF OAHU AND MAUI TO REGULATE THE COLLECTION OF ORNAMENTAL, NON-CONSUMPTIVE FISH ONLY," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 607, transmitting S.C.R. No. 20, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 608, transmitting S.C.R. No. 93, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE STATE BUILDING CODE COUNCIL TO ADOPT EXPEDITIOUSLY PROVISIONS IN THE INTERNATIONAL BUILDING CODE, 2006 EDITION, RELATING TO PHYSICAL ASSISTANCE IN EVACUATION FOR RESIDENTS IN ASSISTED LIVING FACILITIES OR SIMILAR FACILITIES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 609, transmitting S.C.R. No. 118, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATUS REPORTS ON CURRENT UTILIZATION OF FUNDS AND PLANS TO CLEARLY DEMONSTRATE HOW FUNDING IS BEING TARGETED TO IMPROVE STUDENT ACHIEVEMENT AS WELL AS A COMPARISON OF HAWAII'S UTILIZATION TO OTHER STATES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 610, transmitting S.C.R. No. 126, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ESTABLISH A GLOBAL WARMING TASK FORCE TO ASSESS THE IMPACTS OF GLOBAL WARMING ON THE STATE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 611, transmitting S.C.R. No. 147, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO REGULARLY CONSULT WITH HOʻOLAULIMA IA KAWAINUI TO COORDINATE EFFORTS TO PROTECT, CONSERVE, AND RESTORE THE NATURAL, CULTURAL, AND SCENIC RESOURCES OF THE KAWAINUI/HAMAKUA MARSH COMPLEX AND RELATED WATERWAYS," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 612, transmitting S.C.R. No. 152, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII PUBLIC HOUSING AUTHORITY AND THE HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION TO CONVENE A WORKING GROUP TO CREATE REDEVELOPMENT MASTER PLANS FOR KUKUI GARDENS AND MAYOR WRIGHT HOMES," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 613, transmitting S.C.R. No. 161, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO IMPLEMENT A STATEWIDE RAINWATER DETENTION AND RETENTION POND SAFETY PROGRAM," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 614, transmitting S.C.R. No. 202, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE WILLIAM S. RICHARDSON SCHOOL OF LAW TO FACILITATE A DISCUSSION TO ADDRESS THE IMPACT OF TYPE II ADULT RESIDENTIAL CARE HOME FACILITIES ON RESIDENTIAL NEIGHBORHOODS," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 615, transmitting S.C.R. No. 230, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A TASK FORCE TO EVALUATE RECYCLING OPTIONS AVAILABLE TO SCHOOLS, INCLUDING A FEASIBILITY REPORT RELATED TO THE ESTABLISHMENT OF A SCHOOL RECYCLING PROGRAM IN THE STATE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 616, transmitting S.C.R. No. 235, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAIʻI AT MANOA EXPAND UPON A MASTER OF ARTS PROGRAM IN APPLIED ARCHAEOLOGY, THAT THE UNIVERSITY OF HAWAIʻI AT HILO ESTABLISH A GRADUATE PROGRAM IN CULTURAL RESOURCES MANAGEMENT, AND THAT THE STATE HISTORICAL PRESERVATION DIVISION REVIVE ITS ARCHAEOLOGICAL WORKING GROUP," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 617, transmitting H.C.R. No. 53, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO CONTINUE ITS EFFORTS TO DEVELOP SOLUTIONS TO THE PROBLEM OF PATIENTS IN HOSPITALS WHO ARE WAITLISTED FOR LONG-TERM CARE," which was adopted by the Senate on April 10, 2008.

Sen. Com. No. 618, dated April 10, 2008, informing the House that the Senate has on April 8, 2008, agreed to the amendments proposed by the House to the following Senate Bill and that said bill has this day passed Final Reading:

S.B. No. 2141, HD 1 "RELATING TO PUBLIC HOUSING."

Sen. Com. No. 619, dated April 10, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 96, S.D. 3, H.D. 2	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair. Senator Slom added as conferee.
S.B. No. 156, S.D. 2, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Whalen added as conferee.
S.B. No. 170, S.D. 1, H.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 662, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.
S.B. No. 1011, S.D. 1, H.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair. Senator Whalen added as conferee.
S.B. No. 1068, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
S.B. No. 1093, S.D. 2, H.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee discharged as conferee; Added as Chair.
S.B. No. 1113, S.D. 1, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
S.B. No. 1177, S.D. 2, H.D. 1	Senator Whalen added as conferee.
S.B. No. 1184, S.D. 2, H.D. 3	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
S.B. No. 1221, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.
S.B. No. 1229, S.D. 2, H.D. 1	Senator Taniguchi discharged as Chair; Added as 1st Co-Chair. Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 1236, S.D. 1, H.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.
S.B. No. 1352, S.D. 2, H.D. 2	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 1383, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1384, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1386, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1387, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1391, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1412, S.D. 2, H.D. 2	Senator Taniguchi discharged as Chair; Added as 1st Co-Chair. Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Chair.
S.B. No. 1636, S.D. 2, H.D. 3	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
S.B. No. 1756, S.D. 1, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair. Senator Hee discharged as conferee; Added as 1st Co-Chair.
S.B. No. 1923, S.D. 2, H.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair. Senator Whalen added as conferee.
S.B. No. 1932, S.D. 2, H.D. 1	Senator Slom added as conferee.
S.B. No. 1928, S.D. 2, H.D. 3	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1950, S.D. 2, H.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
S.B. No. 1954, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
S.B. No. 1957, S.D. 1, H.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 17, H.D. 1, S.D. 1	Senator Whalen added as conferee.
H.B. No. 92, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 119, S.D. 1	Senator Tokuda discharged as conferee; Added as Chair. Senator Kokubun discharged as Chair; Added as conferee.

H.B. No. 150, H.D. 2, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as 2nd Co-Chair.
H.B. No. 158, S.D. 1	Senator Trimble added as conferee.
H.B. No. 356, H.D. 2, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
H.B. No. 357, H.D. 2, S.D. 1	Senator Trimble added as conferee.
H.B. No. 379, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 451, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 469, H.D. 1, S.D. 2	Senator Hee discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.
H.B. No. 483, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 600, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Whalen added as conferee.
H.B. No. 639, H.D. 2, S.D. 1	Senator Whalen added as conferee.
H.B. No. 652, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee discharged as conferee; Added as Chair.
H.B. No. 676, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 760, H.D. 2, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
H.B. No. 859, H.D. 2, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair.
H.B. No. 902, H.D. 2, S.D. 3	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.
H.B. No. 931, H.D. 1, S.D. 1	Senator Whalen added as conferee.
H.B. No. 936, H.D. 2, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair. Senator Whalen added as conferee.
H.B. No. 987, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1001, H.D. 2, S.D. 2	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 1104, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 1114, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 1133, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1149, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1152, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1153, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1201, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda added as Chair.
H.B. No. 1260, H.D. 1, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
H.B. No. 1268, H.D. 3, S.D. 2	Senator Slom added as conferee.
H.B. No. 1283, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as 1st Co-Chair. Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as Chair.
H.B. No. 1292, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1339, H.D. 1, S.D. 1	Senator Taniguchi discharged as Chair; Added as conferee. Senator Kokubun added as Chair.
H.B. No. 1353, H.D. 1, S.D. 1	Senator Kokubun discharged as Chair; Added as conferee. Discharged Senator Tokuda as conferee; Added as Chair.
H.B. No. 1359, H.D. 1, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.

H.B. No. 1406, H.D. 1, S.D. 1	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1423, S.D. 1	Senator Trimble added as conferee.
H.B. No. 1440, H.D. 3, S.D. 1	Senator Hee discharged as Co-Chair; Added as conferee. Senator Taniguchi added as Co-Chair.
H.B. No. 1479, H.D. 2, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Kokubun added as Co-Chair.
H.B. No. 1516, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair.
H.B. No. 1639, H.D. 2, S.D. 3	Senator Kokubun discharged as Chair; Added as conferee. Senator Tokuda discharged as conferee; Added as Chair.
H.B. No. 1836, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1848, H.D. 2, S.D. 2	Senator Kokubun discharged as Chair; Added as conferee. Senator Hee added as Chair.
H.B. No. 1909, H.D. 1, S.D. 2	Senator Hee discharged as Chair; Added as conferee. Senator Taniguchi added as Chair. Senator Slom added as conferee.
H.B. No. 1950, H.D. 1, S.D. 2	Senator Taniguchi discharged as Co-Chair; Added as conferee. Senator Hee added as 1st Co-Chair. Senator Whalen added as conferee.

Sen. Com. No. 620, dated April 10, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bills:

S.B. No. 6, H.D. 2
S.B. No. 409, S.D. 2, H.D. 1
S.B. No. 546, S.D. 2, H.D. 1
S.B. No. 644, S.D. 3, H.D. 3
S.B. No. 651, S.D. 2, H.D. 2
S.B. No. 711, H.D. 2
S.B. No. 945, H.D. 1
S.B. No. 988, S.D. 2, H.D. 3
S.B. No. 1311, H.D. 1
S.B. No. 1337, H.D. 1
S.B. No. 1487, S.D. 2, H.D. 2
S.B. No. 1491, S.D. 1, H.D. 2
S.B. No. 1526, S.D. 2, H.D. 3
S.B. No. 1720, S.D. 1, H.D. 2
S.B. No. 1780, S.D. 2, H.D. 2
S.B. No. 1891, S.D. 1, H.D. 1
S.B. No. 1934, S.D. 1, H.D. 1
S.B. No. 1961, S.D. 1, H.D. 1
S.B. No. 2004, S.D. 2, H.D. 2
S.B. No. 2034, H.D. 2
S.B. No. 2040, S.D. 1, H.D. 2
S.B. No. 2041, H.D. 1
S.B. No. 2054, S.D. 2, H.D. 2
S.B. No. 2055, S.D. 2, H.D. 2
S.B. No. 2083, S.D. 2, H.D. 1
S.B. No. 2094, S.D. 2, H.D. 2
S.B. No. 2146, S.D. 2, H.D. 1
S.B. No. 2150, S.D. 2, H.D. 2
S.B. No. 2151, S.D. 2, H.D. 1
S.B. No. 2157, S.D. 1, H.D. 2
S.B. No. 2170, S.D. 1, H.D. 1
S.B. No. 2196, S.D. 2, H.D. 2
S.B. No. 2198, S.D. 2, H.D. 2
S.B. No. 2202, H.D. 1
S.B. No. 2212, S.D. 1, H.D. 2
S.B. No. 2218, S.D. 1, H.D. 2
S.B. No. 2245, S.D. 1, H.D. 2
S.B. No. 2262, S.D. 1, H.D. 2
S.B. No. 2263, S.D. 2, H.D. 1
S.B. No. 2273, S.D. 2, H.D. 3
S.B. No. 2293, S.D. 1, H.D. 1
S.B. No. 2294, S.D. 2, H.D. 1
S.B. No. 2313, S.D. 1, H.D. 2
S.B. No. 2314, S.D. 1, H.D. 2
S.B. No. 2334, S.D. 2, H.D. 1
S.B. No. 2341, S.D. 1, H.D. 1
S.B. No. 2342, S.D. 2, H.D. 1
S.B. No. 2365, S.D. 1, H.D. 1
S.B. No. 2394, H.D. 2
S.B. No. 2396, S.D. 1, H.D. 3
S.B. No. 2400, S.D. 1, H.D. 1
S.B. No. 2407, S.D. 1, H.D. 1
S.B. No. 2421, S.D. 2, H.D. 1
S.B. No. 2423, S.D. 2, H.D. 2
S.B. No. 2433, S.D. 2, H.D. 1
S.B. No. 2449, S.D. 2, H.D. 2
S.B. No. 2454, S.D. 1, H.D. 1
S.B. No. 2480, S.D. 2, H.D. 2
S.B. No. 2528, S.D. 2, H.D. 1
S.B. No. 2542, S.D. 2, H.D. 2
S.B. No. 2546, S.D. 2, H.D. 1
S.B. No. 2644, S.D. 1, H.D. 1
S.B. No. 2646, S.D. 2, H.D. 2
S.B. No. 2652, S.D. 2, H.D. 2
S.B. No. 2660, S.D. 3, H.D. 2
S.B. No. 2663, S.D. 2, H.D. 2
S.B. No. 2668, S.D. 2, H.D. 1
S.B. No. 2720, S.D. 2, H.D. 1
S.B. No. 2730, S.D. 2, H.D. 2
S.B. No. 2768, S.D. 2, H.D. 1
S.B. No. 2779, H.D. 2
S.B. No. 2785, S.D. 1, H.D. 1
S.B. No. 2803, S.D. 1, H.D. 1
S.B. No. 2808, S.D. 2, H.D. 1
S.B. No. 2825, S.D. 1, H.D. 2
S.B. No. 2826, S.D. 2, H.D. 1
S.B. No. 2829, S.D. 2, H.D. 2
S.B. No. 2830, S.D. 2, H.D. 2
S.B. No. 2831, S.D. 1, H.D. 1
S.B. No. 2833, S.D. 1, H.D. 1
S.B. No. 2838, S.D. 2, H.D. 1
S.B. No. 2840, S.D. 2, H.D. 1
S.B. No. 2842, S.D. 2, H.D. 2
S.B. No. 2843, S.D. 2, H.D. 3
S.B. No. 2850, S.D. 2, H.D. 2
S.B. No. 2857, S.D. 2, H.D. 1
S.B. No. 2864, S.D. 2, H.D. 2
S.B. No. 2867, S.D. 2, H.D. 2
S.B. No. 2876, H.D. 2
S.B. No. 2878, S.D. 2, H.D. 2
S.B. No. 2879, S.D. 2, H.D. 1
S.B. No. 2886, S.D. 1, H.D. 2
S.B. No. 2896, S.D. 2, H.D. 2
S.B. No. 2915, S.D. 2, H.D. 1
S.B. No. 2933, S.D. 2, H.D. 2
S.B. No. 2961, S.D. 2, H.D. 2
S.B. No. 2982, H.D. 2

S.B. No. 2986, S.D. 2, H.D. 1
S.B. No. 3001, S.D. 2, H.D. 2
S.B. No. 3004, S.D. 2, H.D. 2
S.B. No. 3005, S.D. 2, H.D. 2
S.B. No. 3008, S.D. 2, H.D. 1
S.B. No. 3009, S.D. 2, H.D. 2
S.B. No. 3015, S.D. 2, H.D. 2
S.B. No. 3019, S.D. 1, H.D. 2
S.B. No. 3023, S.D. 2, H.D. 2
S.B. No. 3030, S.D. 2, H.D. 2
S.B. No. 3048, S.D. 1, H.D. 1
S.B. No. 3050, S.D. 1, H.D. 2
S.B. No. 3068, S.D. 1, H.D. 1
S.B. No. 3069, S.D. 2, H.D. 1
S.B. No. 3074, S.D. 1, H.D. 1
S.B. No. 3076, H.D. 1
S.B. No. 3080, S.D. 1, H.D. 1
S.B. No. 3092, S.D. 1, H.D. 1
S.B. No. 3102, S.D. 2, H.D. 1
S.B. No. 3103, S.D. 1, H.D. 2
S.B. No. 3137, S.D. 2, H.D. 1
S.B. No. 3138, S.D. 1, H.D. 1
S.B. No. 3165, S.D. 2, H.D. 2
S.B. No. 3171, S.D. 2, H.D. 2
S.B. No. 3174, S.D. 2, H.D. 2
S.B. No. 3185, S.D. 2, H.D. 1
S.B. No. 3190, H.D. 1
S.B. No. 3202, H.D. 1
S.B. No. 3206, S.D. 2, H.D. 1
S.B. No. 3215, S.D. 3, H.D. 2
S.B. No. 3228, H.D. 1
S.B. No. 3252, S.D. 2, H.D. 2
S.B. No. 3255, S.D. 2, H.D. 2
S.B. No. 3257, S.D. 3, H.D. 2

INTRODUCTION

The following introduction was made to the members of the House:

Representative Yamane introduced Chaplain Major Scott Kennedy of Schofield Barracks who delivered today's invocation, accompanied his wife, Mrs. Dawn Kennedy; and daughter, Ms. Virginia Grace Kennedy.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that House Resolution No. 154 was re-referred solely to the Committee on International Affairs per Committee Referral Sheet No. 78 that was placed on your desks today. The Committee on Judiciary waived its referral to the measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 154, seconded by Representative B. Oshiro and carried. (Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro and Souki were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1382-08 in referring H.R. No. 154 to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Awana, Karamatsu, McKelvey, Nakasone, Shimabukuro and Souki were excused.)

ADOPTION

Representative Caldwell then moved that H.R. No. 154 be adopted, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in strong support of House Resolution No. 154. This Resolution talks about amending Public Law 97-359 which provides for preferential treatment in the admission of children of United States citizens when the child was born in Korea, Vietnam, Laos, Cambodia or Thailand after 1950 until October 22, 1982, and who were fathered by United States citizens. This Resolution amends it in a way to include children from the Philippines. Mr. Speaker, I would just like to inform the audience why.

"During the Vietnam War, hundreds of thousands of sailors and airmen used the Philippines as an R&R facility. As a result of this activity, thousands of Amerasian children were born. But besides that Mr. Speaker, since 1898, when the U.S. first colonized the Philippines, there have been as many as 21 U.S. bases and hundreds of thousands of military personnel stationed there. The bases closed in 1992 leaving behind thousands of Amerasian children. The Pearl S. Buck International Foundation estimates that there are 52,000 Amerasian scattered throughout the Philippines with 5,000 in the Clark Air Base area alone. The majority of the children have been abandoned by their American fathers, unlike their counterparts in other countries; American-Asians in the Philippines remain impoverished and neglected.

"A study made by the University of the Philippines Center of Women's Studies further disclosed startling facts that many Amerasians have experienced some form of abuse or even domestic violence. The findings cite cases of racial gender and class discrimination that Amerasian children in youth suffer from strangers, peers, classmates and teachers. The study also said that Black Amerasians seem to suffer more from racial and class discrimination than their white counterparts. White female Amerasians are highly vulnerable to sexual harassment, the study noted. Two-thirds are raised by single mothers, others by relatives and non-relatives; six percent live on their own or in institutions. Ninety percent are born out of wedlock. It was reported in 1993 that prostitutes are increasingly Amerasian. Children of prostitutes are caught in the cycle which transcends generations.

"Lastly Mr. Speaker, I would like to thank the Chair of Judiciary for waiving his referral to this, and I ask the Members for its passage. Thank you."

Representative Sonson rose in support of the measure and asked that the remarks of Representative Cabanilla be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I wish the remarks of the Chair of the International Affairs Committee be entered as my own. This is clearly a Resolution about no child left behind. Thank you."

The motion was put to vote by the Chair and carried, and H.R. No. 154, entitled: "HOUSE RESOLUTION URGING THE UNITED STATES CONGRESS TO AMEND THE DEFINITION OF "AMERASIANS" IN THE AMERASIAN IMMIGRATION ACT

OF 1982," was adopted, with Representatives Awana, Karamatsu, McKelvey, Nakasone and Shimabukuro being excused.

STANDING COMMITTEE REPORTS

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1865-08) recommending that H.C.R. No. 27, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 27, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I wanted to register a vote with reservations on Stand. Com. Rep. 1865, HCR 27, HD 1. This Resolution is asking the Department of Transportation, Airport Division to prepare a report explaining the procurement process for the awarding of the Wiki Wiki Shuttle service contract and include in this report the reasons for the decision of the new contractor to not hire the employees of the former contractor, and the steps, if any, taken by the procurement officer to protect the jobs of these employees. It also goes on to ask the Department of Transportation to consider rebidding the Wiki Wiki Shuttle service.

"I mean, this is like so many other measures that we've had, like failing hotels bought by a new owner and that we want them to retain all the employees that are in place. I think that we should be looking for the best service we can have. And this new contractor probably has employees of their own, and they want to improve the service of the Wiki Wiki Shuttle, so I have some strong reservations."

Representative Sonson rose to speak in support of the measure, stating:

"On HCR No. 27, HD 1, I am in strong support. Mr. Speaker, as I take a look at the facts we relied upon in the Committee, there has been evidence showing that clearly there is some potential appearance of impropriety as far as how the bidding took place. Let me just summarize what was presented to us.

"An RFP by the Department of Transportation was issued, and four businesses responded. Roberts Hawaii was one of those companies that responded. Roberts Hawaii, however, was the second highest bidder. Before the bids were opened however, the Department found that there was supposedly a route that was not included in the RFP which meant that this will be an added item to all the bidders. Instead of just keeping the bid sealed, given that they are going to reissue a new RFP, the Department of Transportation opened the bids and showed the bid numbers to all those who bid. Subsequently they reissued the RFP and three businesses submitted a response. Two of those that submitted a response to the RFP added an extra $900 to $1.5 million in their bids, making them higher.

"However Roberts Hawaii, instead of raising the amount of money to do the contract, they lowered their bid to $250,000. I think with those facts, I think there is some cause for concerns, for this body. And we believe that all service contracts, especially the ones coming from the State of Hawaii, should be bid in such a way so that there's an even playing field. There certainly is a cause for concern when something like this happens when you think that the bids should go up and it does go up for competitors, but one of them is lower. That sounds pretty funny, and it sort of smells a little bit. So I think there should be a lot of support for this particular Resolution. Please vote yes, Members."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. I just want to add a few comments that haven't been brought up yet. I really hope that with this Resolution, if it passes, even in the Senate, that we really need to look at the procurement process and how DOT procured this, because in my previous experience in another State when they opened bids and they determined that they left something out, they would only allow the two lowest bidders to come back and rebid on it. They would not allow four or five or six bidders.

"The information is out. Everybody knows and is knowledgeable, so you just allow the two lowest ones. You're obviously the lowest and we're going to deal with you two. You come back and rebid. We just have to modify this. So I think this whole procurement process definitely has to change because to open up those bids and have everybody understand the four bidders that bid on it, exactly what other people are bidding, and then come back after a minor adjustment and then the highest bidder came in the lowest two months later when they bid it? Something is just wrong with the process, so I really want to encourage the Members to look at this. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. I'd like to incorporate the words of the Chair of Labor as if they were my own, and also want to thank the Chair of Labor for jumping on this so quickly. This is something that was brought to our attention early this week. He jumped on it right away. It's something that needs to be looked at as stated by speakers here today.

"When you think about the impact of this bid and re-bid, it resulted in a substantial number of former employees being laid off in a time when so many other people are being laid off. If you met with these women mainly, and saw their faces and saw what they're going through, you'd understand why this Resolution needs to proceed. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 27, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE PROCUREMENT OFFICER OF THE DEPARTMENT OF TRANSPORTATION TO PREPARE A REPORT EXPLAINING THE PROCUREMENT PROCESS USED TO AWARD THE HONOLULU WIKI WIKI SERVICE CONTRACT," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1866-08) recommending that H.C.R. No. 105, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 105, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations on Stand. Com. No. 1866 regarding the re-regulation of air carriers. Mr. Speaker, when I was a freshman in the early '90s we had the exact opposite happen as we have now. Aloha was the strongest carrier and Hawaiian was the weakest carrier, and we did the right thing. We actually had a loan guarantee program that we put in place. It was in fact, so timely that when Hawaiian did ask for bankruptcy, by the time that our loan guarantee came around to be effective they actually had turned the corner and actually didn't need it.

"Now I can see after that we're trying to do the same thing because after we did the loan guarantee we had a bill that we passed that said that we need to re-regulate our airlines, basically put in price controls. And I think these Resolutions today resurrect that, unless

the Chair of Transportation sees me as inconsistent, I re-visited my vote in 1993 and I didn't vote for price or re-regulation and there's a couple of reasons for that.

"Number one was the bill that we did pass, the sunset of 2002, but it was never really implemented to the extent that it was then passed again and then vetoed and there was no override of the veto. The point being that there was no move in Congress to say, 'Yes, Hawaii. You have permission to re-regulate.' And I know this is trying to follow the example of Alaska. The point being Mr. Speaker, is that we now have the weakest carrier being the strongest, and the strongest carrier being the weakest.

"It really boils down to management and not price control. If you want just reliability, we can look at our electrical bills and know that our electricity is reliable, but the prices are going crazy. And I think that if you do that with the airlines, we're going put in place some of the things that we otherwise would fear, which otherwise is competition and having the carriers working themselves out the way Hawaiian did and Aloha to the private sector and the free market, letting the forces prevail. Having said that Mr. Speaker, with reservations for this Resolution. Thank you."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. I realize the concerns of my colleagues from the other side of the aisle, but I'm still standing in support of it because as you know today based on this experience, Mr. Speaker, our cliental really doesn't have any support for our local carriers. This is a clear demonstration. Somebody who came from the outside and started lowering the price and all of us want to use the lower price. There are companies out there that have a lot of money that can withstand competition for a long time. Our local carriers really don't have that much of a capital base like they do.

"So we stand to lose. This time Aloha Airlines lost with this competition. Maybe another carrier will come in the future and it will be Hawaiian Airlines next. Who knows? But I think the people in Hawaii who benefit from the taxes that we collect from these local businesses, we owe something to our local businesses. These companies coming from the outside do not pay taxes in the State of Hawaii. They pay taxes from wherever they're incorporated. So I think this measure is toward self-preservation of the State, Mr. Speaker. It may not be a perfect solution, but I think that we should support it for now until a better solution comes up. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker just a brief retort to that. Basically, all the airlines are owned from the outside. Hawaiian is publically owned. It's not private like Aloha is. The other thing is that with this, quote, PUC/ Civil Aviation Board approach we are taking, we will actually be rewarding the airline which otherwise we said was a predator from the outside, because it will lock in place those who are now in place. Thank you, Mr. Speaker."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, in support. I was not going to speak on this measure, but some Members here obviously have some concerns with the regulation. We've had regulation in the past. Many of you weren't born yet, but prior to 1978, all airlines were regulated at that time by the federal government. They didn't have problems like we have now. We have a situation now that is a domino effect, and it's affecting all the airlines. I believe even in Washington, Senator Inouye made mention that maybe it's time to relook at the need for regulation on the national level.

"But what we're asking here is that the Congress give us an exemption like they did for Alaska, to provide that the State of Hawaii can regulate its own airlines. Alaska has that, and the reason they gave an exemption to Alaska was one, because of the sparse population which is similar to Hawaii. And number two, because they didn’t have the connecting highways throughout that huge, vast State. They need to go either through the rivers or the Yukon, or use the pontoon planes that stop in little rivers throughout the State.

"Similarly in Hawaii, our highways are the ocean and the air. We cannot drive from Maui to the Big Island, or Kauai like they can in the mainland. We're different. We have a very small population that's made it very difficult to support more than two airlines. Or for that matter, maybe even more than one airline. I've not known any airline to make a profit in the last 20 or 30 years that have been here. They have not made any money.

"So we need to relook at this. There needs to be a debate and a discussion about if we should do this. I'm not saying that this should be done. This may be a panacea, but it may not. We should take a good hard look at it.

"Now you're talking about how the predatory airline might benefit. If we had the regulations we would have prevented a predatory airline from coming here. We would have prevented the airline from having $1 fares which is unreasonable, even a $29 or $39 fare. Airlines should be charging a fare that will cover their costs with a reasonable profit. And that’s the only way you can survive. There isn't any business that can survive if you sell your cut of goods for less than what it costs to make and prepare and sell the goods. It should at least at the minimum be able to meet your costs.

"And that's what a regulated airline should do. It will say that the airlines would be able to make its cost of operation with some profit, similar to Young Brothers, similar to HECO and huge utilities that we have. And that's how they can survive. Do you think that Hawaiian Electric and Young Brothers could survive if we didn't have some kind of protected measures? They couldn't. And we would be without lights three-fourths of the time.

"So I ask the Members to think about this. Think about regulation. It may not be a bad idea in this current time that we're living in. Thank you, very much."

Representative Sonson rose to speak in support of the measure with reservations, stating:

"If I may, Mr. Speaker. I'd like to vote yes, however with serious concerns. Anytime that we try to interfere in the marketplace, we have to be very careful because we have to take a look at the costs and benefits of this. I think it should be advanced to further discussions. Yes, I thought about this as the prior speaker said, 'Let's think about it.' I always think about the free market. I always think that the free market is best left on its own unless there is really something that needs to be corrected.

'If we are worried about predatory pricing, this is the reason why we are introducing this Resolution, I think that the discussion has already been covered by existing laws. Predatory pricing is already controlled by federal law. It's illegal and it can be enforced. I think we've seen the result of that in those million dollar judgments. Regulation costs money and you have to be paid by somebody, and that somebody is usually the consumer.

"In this particular case, there have been examples saying that we should regulate the airlines similarly as HECO and other large companies. Mr. Speaker, I agree that they should be regulated in such

a way because they are a different kind of business. I don't know how similar they are with the airlines, but I think a competition in the airline industry would be a lot different from the Hawaiian Electric example, because the Hawaiian Electric example frankly is a business that has a lot of costs just to enter the marketplace.

"It makes sense that the government supports a monopoly, a natural monopoly in a sense. However I don't agree that the airline industry, even in Hawaii, is a natural monopoly. I think a competitive market is best for the consumer. As we've seen through these bills such as the bill regarding regulation of money transmitters, it costs a lot of money. And I'm worried that the cost will have to be borne by our consumers. For example if we have to regulate them, that means that we guarantee them a place in the State of Hawaii, a place of business guaranteed in such that they are guaranteed a profit, such as we almost guarantee Hawaiian Electric a profit. In that sense Mr. Speaker, it makes the marketplace less efficient. I think we should be very careful as we proceed forward. Thank you very much."

Representative Herkes rose to speak in support of the measure, stating:

"In support. And I just have to note that only one of the previous speakers relies on inter-island airlines every week. I'm old enough to remember when Hawaiian Airlines was the only carrier in the State of Hawaii, and they were so arrogant it was unbelievable. I don't want to see us return to that."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 105, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION STRONGLY URGING THE UNITED STATES CONGRESS TO ENACT FEDERAL LEGISLATION TO ALLOW HAWAII TO REGULATE AIR CARRIERS OPERATING BETWEEN ISLANDS IN THE STATE UNDER THE HAWAII REVISED STATUTES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1867-08) recommending that H.C.R. No. 164, 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. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1868-08) recommending that H.C.R. No. 288, 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. 288, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A SUNRISE REVIEW ON THE REGULATION OF PERSONS WHO APPREHEND BAIL FUGITIVES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1869-08) recommending that H.C.R. No. 62, 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. 62, HD 1, 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 adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1870-08) recommending that H.C.R. No. 125, 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. 125, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1871-08) recommending that H.C.R. No. 214, HD 1, as amended in HD 2, 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. 214, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF THE DEPARTMENT OF PUBLIC SAFETY, MAINLAND AND FDC BRANCH, ON CONTRACT COMPLIANCE OF PRIVATE PRISONS THAT HOUSE HAWAII INMATES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1872-08) recommending that H.C.R. No. 231, as amended in HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.C.R. No. 231, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to House Concurrent Resolution 231, Stand. Com. 1872-08. Thank you. For starters, I would like to clarify that through the life of this Resolution in this House I supported the intent, but not the approach that is now embodied in House Draft 1. I agree with some of my colleagues such as the good Representatives from Hanalei and Pearl City, that cost should not be a factor for voters as they decide whether to convene a Constitutional Convention. But I do believe it will be a factor for many voters as demonstrated by the Winter 2008, *People's Pulse* survey. And I also believe that anti-Con Con groups will use cost as a reason to urge voters to vote against the Convention. For this reason, we need to put the best information forward to our voters.

"As Legislators, we expect the best, most accurate information presented to us when we're making those often difficult decision on which programs deserve funding. The voters too deserve nothing less than the best, most accurate information for determining the costs of convening a Constitutional Convention. While I'm in support of the

Resolution's intent, I still believe that there is a better way to address the issue of cost. A taskforce made up of representatives from State agencies directly involved in convening a Constitutional Convention, bipartisan legislators and citizens' groups would be best situated to determine a reliable and accurate figure that the voters can have faith in. Agencies such as the Campaign Spending Commission, the Office of Budget and Finance, the Office of Elections, the Department of Accounting and General Services, are all State agencies that are directly involved in the election of delegates, the handling of elections and convention funds, and the use of facility space. Therefore it would be entirely appropriate to use agencies that will know how much it will cost to prepare and implement a Constitutional Convention. Bipartisan legislators would have accountability to this taskforce. And since all legislators are held accountable to the voters, it would encourage transparency and promote fair figures in the interest of citizens.

"Of all the groups that consider a taskforce, none is more important than a citizen group. A citizen group is necessary to the taskforce for its ability to bring the ideas of the voters and all of Hawaii's citizens to the table. Citizens' groups like the League of Women Voters are esteemed in their community, especially the League which is recognized for working civic engagement and for their past history with previous conventions. They are informed about the issues and would be able to assist by presenting options regarding aspects of the Constitutional Convention concerning cost and voter education. Citizens will ultimately be voting as to whether to convene the Constitutional Convention therefore it is highly appropriate for them to be involved in this process to create a reliable and accurate figure. I urge our colleagues in the Senate who will be considering this Resolution next to consider these suggestions that have been presented and rejected by this House. Consider using the taskforce made of agencies that are directly involved in the Convention. Incorporate the voices of our public through a citizen group like the League of Women Voters. These suggestions will help the voters make an informed decision this November. Thank you, Mr. Speaker."

Representative Ward rose to speak in opposition to the measure, stating:

"I also rise in opposition to this measure. Mr. Speaker, there is a saying that says that if you have to ask the price of something really valuable, you probably can't afford it. The subliminal message of this bill to the people of Hawaii is, 'Hey we can't really afford a Constitutional Convention.' Instead of focusing on democracy and the enfranchisement, the empowerment of our people, we're saying, 'Well look at the dollar amount.' And let us look at ourselves in terms of, do we do this all of the time, or some of the time, or not really at all? And I think this is a rare occasion that we'll look at the cost before we're going to pass this or before we're really going to implement it.

"I think it's a little bit disingenuous, I think we're raising the bar higher than we ever do with other pieces of legislation. And I think what we're trying to do is as it was pointed out earlier by a colleague, on line 34, we're trying to jack up the price the way we've put the wording in it. It says we must have a lease facility, costed out by the researcher here. A leased facility means we're going to have to pay for it, and not get it free. Hopefully in a Committee Report, it would say we could lease it for $1 and not what other lies in a large commercial lease.

"If anything that I said is untrue, it will do one other thing and that is create doubts. If people have a doubt whether we kept this thing passed or not passed, it's going to create doubts. My fear is that doubts usually pull back participation. Pull back participation means that they're going to leave it blank. If they leave it blank, we know that the Supreme Court has said a blank vote is a no vote. Each time we have a vote, people want to have a Constitutional Convention, they prevail by a number, but then the no, vis-à-vis the blank votes, will prevail. Mr. Speaker that's not a good way to enfranchise people of Hawaii. I think it's a good Resolution with bad intent, and I hope as the previous speaker said, that the Senate will prevail more logically than we have. Thank you."

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support. From the fiscal perspective, I think this a wise course for the Legislature to take. I note that in the HCR, the reporting date for the study will be September 1, 2008. I think it's appropriate because when I look at the Committee Report on page 3 it states that, 'if the 1978 Constitutional Convention costs of $2 million were adjusted for inflation, the cost would be approximately $6.5 million.' And I think it's appropriate for taxpayers to know the true costs of the Convention. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, also in support with some brief comments. We've heard several arguments made today in opposition to this Resolution. And when you look at the Resolution and you read the Resolution, and reflect back and talk to LRB, what they're doing in this Resolution which they drafted, is following the model of the 1978 Constitutional Convention. Nothing more, nothing less.

"When they referenced the word, 'leased', which everyone seems to focus on, in fact we did lease the old Federal Building over where the Post Office is because when you think about it, whatever space you're going to take for a period of time, two to five months, you want to make sure there's terms and conditions even if the rent is free or $1. What landlord, whether it be government or the private sector, would just turn over a large facility and say we can have it with no terms and conditions, liability, we'll accept it. That's ridiculous. So somehow they think that by putting the word 'lease', we're talking about dollars, a lot of money. Just absolutely not correct. And in fact, the facility was leased, and this Resolution follows that model.

"As far as a taskforce, LRB has been involved in the Constitutional Conventions that have been held in our State. They are a non-partisan body at the Legislature drafting legislation for all parties who request it. They know how a Constitutional Convention is organized and run. They have the institutional knowledge. They can jump on this if this Resolution passes, and they can get it implemented and the information to the public well before a vote, because we want an informed republic.

"When we hear arguments today and earlier this month, that somehow the people should vote first and then we tell them the cost. When did that become good policy, I ask? When did that become good policy? And we really are short-changing our electorate. If we think they are so ignorant as to not want to know the cost, or that somehow by giving them the true cost, they're going to decide wrongly? I think we owe it to our constituents and anyone who stands on this Floor and we don’t want to let them know the costs because they may vote for it is outrageous and bad public policy.

"So I encourage our Members to support it. I hope the Senate will support it. I hope we'll have a Resolution passed, a study done, we'll know the cost, and the public can then decide in an informed way when they vote this coming November. Thank you very much, Mr. Speaker."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. Just in brief rebuttal and actually in agreement with the previous speaker. I do agree that we should do a cost analysis. And I also do agree that LRB has the institutional knowledge. But I think we should also bring other people who have information readily available and who stand ready to participate in this cost analysis.

"When this Resolution was heard before the Judiciary Committee, a representative from the Lieutenant Governor's Office came and offered that representatives from the Office of Budget and Finance, from DAGS would be ready and willing to work on this. So I don't see the harm in opening it up and, again, coming up with the best, most accurate, reliable figures.

"Secondly, as to the issue of leased facilities, I would like to note, and I hope that LRB, if they are tasked with doing this, that the language in this Resolution allows them to look at various options. I would especially like to point, not to the lease facility provision, but to the provision that a Convention should convene not less than five months prior to the next regularly scheduled General Election. That provision there, in and of itself, raises the cost of a Constitutional Convention because it presupposes a Special Election for the delegates.

"Now clearly, the Constitution provides a second option; that delegates could be voted on by the next general election and then that would not present us with the cost of the Special Election. That is clearly going to be one of the big cost drivers in this Convention. So again, I rise in opposition. I think there's a better way that we could put this together knowing that this is probably the way it's going to move forward, and I urge and hope that the LRB does put forward a range of numbers. Thank you."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in opposition and I would like the words of the Representative from Makiki inserted in the Journal as if they were my own. I like the idea of a task force and including a lot more people, I think that's part of the education process that would help to encourage the public and more people that it is something we should look at: The Constitutional Convention was held a long time ago, and it would benefit our State by having another one.

"I do like the idea of making things transparent and giving people information. I was surprised at some of these figures and I think even the $6.5 million with inflation is something. We should expect it to be at least that. But for the other provisions, having 102 delegates, that may not be what we have to have. And the time, for so many months, and the designation of the period, when it should be held. All these things should be in flux and should be discussed by a taskforce. Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and short comments. In review of some of the information in regard to the Con Con, I realize that the higher the cost, the most likely the people don't want to invest in the Con Con as it was shown in the *People's Pulse* earlier this year. So why couldn't we have a Resolution that stated maybe something along the lines of a study of what would a Constitutional Convention be?

"If we included the best possible scenario with the different technologies that we have, that's different from 30 years ago. Or study what it would be to look at different examples in how we can save money or something like that. That would still give the opportunity for the people of Hawaii to decide on important issues of the State.

"Mr. Speaker, I think that this is strategic like the previous speaker was saying, in regard to turning off people from the Con Con. Mr. Speaker, I'll just submit some additional comments."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.C.R. 231 which requests the Legislative Reference Bureau to study the cost of convening a Constitutional Convention. I am concerned that the intent of this Resolution may misguide the public into thinking that a Constitutional Convention is too expensive and not worth the price tag. I understand that for planning purposes it's best to plan for the worst, but conducting a study solely on the cost would be incomplete.

"I would prefer to see a task force with representation from other government agencies, developed to look at the "big picture". They need to look at different ways to achieve a Constitutional Convention with a reasonable investment from our government to run it. Cost should be incorporated in all phases of planning and definitely needs to be a consideration when developing a plan to convene a Constitutional Convention. Thank you, Mr. Speaker."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with very serious concerns about this measure and I would like to ask that the first comments of the Representative from Tantalus, Makiki and McCully be entered into the Journal as if they were my own.

"Mr. Speaker, the Resolution still sets up a process where LRB is directed to do a Lexus type of analysis. Well some may claim it's a Toyota, and yes, Toyota makes Lexus. But a Lexus costs a lot more money. That's going to be the perception that will be the end result. And we all know then that the voters will, in most likelihood, turn this down.

"I hope as the measure goes over to the Senate, we can have a better look at it and get better language. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.C.R. No. 231, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION," was adopted, with Representatives Belatti, Finnegan, Meyer and Ward voting no, and with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1873-08) recommending that H.C.R. No. 349, 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. 349, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE EFFECTS OF MEDICAL TORT REFORM ON ACCESS TO HEALTH CARE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1874-08) recommending that H.R. No. 181, 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. 181, entitled: "HOUSE RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was adopted, with Representatives Har,

Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1875-08) recommending that H.C.R. No. 213, 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. 213, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY TO NEGOTIATE A CONTRACT EXTENSION WITH THE NATIONAL FOOTBALL LEAGUE TO KEEP THE PRO BOWL IN HONOLULU," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1876-08) recommending that H.R. No. 96, HD 1, as amended in HD 2, 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. 96, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1877-08) recommending that H.C.R. No. 113, HD 1, as amended in HD 2, 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. 113, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ESTABLISHMENT OF A RELATIONSHIP BETWEEN THE STATE OF HAWAII AND THE ISLANDS OF POLYNESIA," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1878-08) recommending that H.C.R. No. 348, 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. 348, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE ATTORNEY GENERAL TO REVIEW AND SUBMIT A LEGAL OPINION REGARDING WHETHER VACATION RENTAL USES IN SINGLE-FAMILY DWELLINGS AND FARM DWELLINGS IN STATE AGRICULTURAL DISTRICTS ARE PROHIBITED UNDER CHAPTER 205, HAWAII REVISED STATUTES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Waters, for the Committee on Judiciary presented two reports:

(Stand. Com. Rep. No. 1879-08) recommending that H.R. No. 60, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1880-08) recommending that H.C.R. No. 69, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 60, HD 1, and H.C.R. No. 69, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I'm just rising in very strong support for HR 60, HD 1, and HCR 69, HD 1."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 60, HD 1, entitled: "HOUSE RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERM LIMITS OF STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 69, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE RETIREMENT AGE FOR STATE COURT JUSTICES AND JUDGES; THE TERM LIMITS OF STATE COURT JUSTICES AND JUDGES; THE POSSIBILITY OF ESTABLISHING A SENIOR JUDGE SYSTEM FOR STATE COURT JUSTICES AND JUDGES; JUDICIAL ACCOUNTABILITY AND FITNESS IN THE STATE OF HAWAII; AND RELATED MATTERS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1881-08) recommending that H.R. No. 62, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1882-08) recommending that H.C.R. No. 71, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 62, HD 2, and H.C.R. No. 71, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Lee rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of HR62/HCR71, HD2, which would require the Board of Education to study school bus seat belt policies.

"For years in Hawaii there has been opposition to seat belts in school buses because of outdated research done many years ago. However, it is a fact that children do die in seat belt accidents across the United States at an average of 11 per year. Just because no one in Hawaii has yet died in a school bus crash is no reason for us to ignore the facts:

1. The American Association of Pediatrics estimates 6,000 to 10,000 children are injured in school bus crashes each year and would have been spared injury if they were wearing lap shoulder belts.

2. Seat belts will help reduce or prevent injuries in rollover crashes and side crashes more than mere compartmentalization, the current safety method used for school buses.

3. According to the 2007 National Highway Safety Administration (NHTSA) Notice of Proposed Rulemaking, shoulder/lap seat belts would make a child safer on large school buses.

4. Many children stand on the bus. This practice could be eliminated if students were required to wear safety belts. This would also aid the discipline problem.

"Let's not quibble about cost when it comes to safety. Implementing seat belts on school buses is not prohibitively expensive if done on a graduated schedule and calling for newly-acquired buses to have seat belts first.

"Prevention is the new cost saving strategy in healthcare. Would we wait to give a diabetic insulin until he lapsed into coma? Would we prefer spending the money on rehabilitation from brain injury before acting to decrease risks? Of course not!

"Seat belt laws have been passed in New York, New Jersey, Florida, Texas, Kansas and California. Hawaii should follow their lead. How can we insist that children be placed in booster seats, car seats and seat belts in private cars, yet send them off to school beltless. This is a no brainer.

"The HD 2 makes amendments to the original resolution as the BOE is to:

a) Compile and analyze data on all school bus accidents in the state during the past five years, including injuries sustained and costs to the DOE.

b) Review and analyze the DOE's current policy toward seat belt use.

"The DOE is requested to submit a report of findings and recommendations regarding bus safety – this is to include issues related to seat belts and any proposed legislation. The recent bus accident in Kahuku makes this report more important than ever. Hopefully next session, we will be able to pass a seatbelt bill and also look into the possibility of Federal funding for a portion of the cost.

"Times have changed. We must be aggressive in protecting our children from unnecessary injury through prevention."

Representative Cabanilla rose in support of both measures and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I have some concerns about HCR 72 and HR 62. It is my belief that seat belts are not necessary on school buses because first and foremost, certain research has shown that seat belts on these transportation systems are not necessarily the best option for safety. Also, if seat belts are installed, enforcement of their use becomes a prohibitive factor. For these reasons, Mr. Speaker, I do not think that the installation of seat belts in our school buses is necessary."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 62, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY SCHOOL BUS SEAT BELT POLICIES AND COMPILE DATA RELATING TO SCHOOL BUS SAFETY AND TO REPORT TO THE LEGISLATURE WITH RECOMMENDATIONS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 71, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY SCHOOL BUS SEAT BELT POLICIES AND COMPILE DATA RELATING TO SCHOOL BUS SAFETY AND TO REPORT TO THE LEGISLATURE WITH RECOMMENDATIONS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1883-08) recommending that H.R. No. 119, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1884-08) recommending that H.C.R. No. 138, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 119, HD 2, and H.C.R. No. 138, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of both measures and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"I rise in support of HCR 138 and HR 119, Requesting the Task Force to Review the Potential Expansion of the Current Practices and Equipment of Hawaii's Telemedicine System.

"Mr. Speaker, telemedicine technologies have a great deal of potential to help address the mal-distribution of healthcare resources and the geographic challenges of our island state.

"The foundation is already here, thus we should move forward and support a viable telemedicine system, which will serve not only mainstream Hawaii, but our rural areas. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 119, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 138, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented two reports:

(Stand. Com. Rep. No. 1885-08) recommending that H.R. No. 308, as amended in HD 1, be adopted; and

(Stand. Com. Rep. No. 1886-08) recommending that H.C.R. No. 372, as amended in HD 1, be adopted.

Representative Caldwell moved that the reports of the Committee be adopted, and that H.R. No. 308, HD 1, and H.C.R. No. 372, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative Carroll rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I am in support."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 308, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THE

JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 372, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE JUDICIARY TO REPORT ON THE FEASIBILITY OF CREATING A FIFTH JUDGE OF THE CIRCUIT COURT OF THE SECOND CIRCUIT AND HOLDING SESSIONS ON MOLOKAI UNDER CERTAIN CIRCUMSTANCES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1887-08) recommending that H.R. No. 174, 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. 174, entitled: "HOUSE RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1888-08) recommending that H.C.R. No. 206, 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. 206, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING COMPUTER GENERATED AUTO-CALCULATING TAX FORMS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1889-08) recommending that H.R. No. 280, 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. 280, entitled: "HOUSE RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1890-08) recommending that H.C.R. No. 339, 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. 339, entitled: "HOUSE CONCURRENT RESOLUTION MANDATING THE CREATION OF A SINGLE WEBSITE FOR PUBLIC ACCESS TO STATE EXPENDITURES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1891-08) recommending that H.R. No. 289, 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. 289, entitled: "HOUSE RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1892-08) recommending that H.C.R. No. 351, 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. 351, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING A FEASIBILITY STUDY ON IMPLEMENTING THE BEST PRACTICE OF FRONT LOADING REPAIR AND MAINTENANCE COSTS OF STATE FACILITIES FOR SET ASIDE FOR EVENTUAL FUTURE REPAIR AND MAINTENANCE COSTS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1893-08) recommending that H.R. No. 85, 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. 85, entitled: "HOUSE RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1894-08) recommending that H.C.R. No. 103, 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. 103, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING AND AUTHORIZING THE ESTABLISHMENT OF A STATE-PROVINCE AFFILIATION BETWEEN THE STATE OF HAWAII OF THE UNITED STATES OF AMERICA AND THE PROVINCE OF NEGROS ORIENTAL OF THE REPUBLIC OF THE PHILIPPINES," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1895-08) recommending that H.R. No. 290, HD 1, as amended in HD 2, 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. 290, HD 2, entitled: "HOUSE RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1896-08) recommending that H.C.R. No. 353, HD 1, as amended in HD 2, 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. 353, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE COUNTIES TO ADOPT AND IMPLEMENT GRAY WATER RECYCLING PROGRAMS FOR RESIDENTIAL IRRIGATION PURPOSES AS PROVIDED UNDER THE UNIFORM PLUMBING CODE STANDARDS," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1897-08) recommending that H.R. No. 161, 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. 161, HD 1, entitled: "HOUSE RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A FEASIBILITY STUDY ON THE USE OF POLYSTYRENE FOAM ALTERNATIVE PRODUCTS IN HAWAII," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1898-08) recommending that H.C.R. No. 192, 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. 192, HD 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE LEGISLATIVE REFERENCE BUREAU CONDUCT A FEASIBILITY STUDY ON THE USE OF POLYSTYRENE FOAM ALTERNATIVE PRODUCTS IN HAWAII," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented two reports:

(Stand. Com. Rep. No. 1899-08) recommending that H.R. No. 270, HD 1, as amended in HD 2, be adopted; and

(Stand. Com. Rep. No. 1900-08) recommending that H.C.R. No. 326, HD 1, as amended in HD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that H.R. No. 270, HD 2 and H.C.R. No. 326, HD 2, be adopted, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of both measures, stating:

"Thank you, Mr. Speaker. I am in strong support of Stand. Com. Rep. 1899 and 1900. I just wanted to express gratitude that this task force is going to come into existence and just to quickly summarize again why cacao is so important.

"It was imported here in 1850, a long time ago. Cacao was used for centuries as medicine. It has high concentrations of theobromide, an alkaloid used for its calming effect on the brain, as well as the nervous system. It's been found to reduce fatigue. It raises serotonin levels in the brain, which is why it was primarily used for warriors to give them energy and keep on going. The fact is that cacao never was really for children initially. Cacao was a spiritual drink compared to tea for Asia, and wine for Europe. It is so special that we are able now to capitalize on one of the last wholesale products that is not freely marketed.

"Each year the chocolate industry produces $75 billion worldwide and Hawaii's position is as the only State in the United States that can commercially grow it. It's ideally located to both Asia and mainland USA in order to capture and prosper from the opportunity of a growing cacao market. The fact is that Asia has already developed into a major chocolate market. I attended a symposium in New York City hosted by the Asia Society and I will tell you that Asia is going crazy for cacao, and Japan has experienced a significant increase. They're one of the top consumers of this product.

"In 2002 we passed a Resolution that recognized the economic benefits. In 2003 the Hawaii Tropical Fruit Growers organized a cacao chapter. In 2004, Dole Company rejuvenated the Oahu Cacao, creating one of the best cacaos probably anywhere in the US or the world. So again, I express my gratitude for the passing of this measure."

The motion was put to vote by the Chair and carried, and the reports of the Committee were adopted and H.R. No. 270, HD 2, entitled: "HOUSE RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused; and

H.C.R. No. 326, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Yamashita, for the Committee on Economic Development & Business Concerns presented a report (Stand. Com. Rep. No. 1901-08) recommending that S.C.R. No. 53, SD 1, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 53, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN," was adopted, with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1902-08), recommending that H.C.R. No. 15, HD 1, as amended in HD 2, 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. 15, HD 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR HEARING AIDS," was referred to the Committee on Finance with Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters being excused.

At this time, the Chair announced:

"Members on April 7, 2008 the Senate President and the Speaker of the House signed a memorandum authorizing the Senate Clerk and the House Clerk to process, transmit and receive House Bill 2250, HD 1. The memorandum states in pertinent part:

Please be advised that we have authorized an exception to the 2008 Legislative time table agreed upon and dated December 27, 2007. The continued well-being and stability of the State's inter-island air industry, passenger as well as cargo transport, is of paramount importance to the people of the State of Hawaii.

"So Members at this time, please note the 48-hour notice for Standing Committee report 1903-08."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1903-08) recommending that H.B. No. 2250, as amended in HD 1, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1903-08 on H.B. No. 2250, HD 1 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of H.B. No. 2250, HD 1, were made available to the members of the House.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

At 1:01 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:01 o'clock p.m.

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

H.B. No. 2045, SD 1
H.B. No. 2163, HD 2, SD 1
H.B. No. 2263, SD 1
H.B. No. 2301, HD 1, SD 1
H.B. No. 2436, HD 2, SD 2
H.B. No. 2517, HD 1, SD 1

ANNOUNCEMENTS

Representative Evans: "Thank you. I wish to inform the Members that there was a news release. The Department of Land and Natural Resources now has an Administrator and a manager in the State Historic Perseveration Division. Dr. Puaalaokalani Aiu will serve as the administrator of the State Historic Preservation Division and she will be assisted by Nancy McMahon, a 20 year veteran of the Department who will serve as archeology and historic preservation manager. Thank you."

Representative Herkes: "Thank you Mr. Speaker. I have two announcements. First I want to remind the Members that the Hawaii Psychological Association lunch is following session in Room 329.

"And secondly Mr. Speaker I just want to talk a bit about Nona Beamer. We lost a wonderful, wonderful woman yesterday and I was privileged to know her. When I was with Interisland Resorts in the 1970s, we had seven hotels on three islands, and she was our Entertainment Director. We had made some substantial improvements at the Kona Inn. We had a large area with a big deck, and a restaurant.

"We had invited the Hawaii Hotel Association over to be at the opening of this new facility. It was a nice quiet Kona evening, the ocean was calm, the people around the deck enjoying their pupus and cocktails. As part of the ceremony, Nona Beamer started to chant, and suddenly from no where three waves came up, crashed over the wall, filled the pool, covered the deck, everybody got wet and then everything quieted down.

"And after it was over I went to Nona and I said, 'What happened?' She said, 'Bob, no one was listening.' And so I cautioned everybody after that. When Nona chants up a storm, you better pay attention. I adored Nona. We will all miss her, and at the appropriate time Mr. Speaker, I would ask that we have a moment of silence for this wonderful, wonderful lady."

Representative B. Oshiro: "Mr. Speaker, on a much happier and more pleasant note, I would like to take this time to announce the results of our Penny War fundraiser for the Hawaii Foodbank, and I would like to sincerely thank all of the Members and staff and members of the public that participated. Just to let everyone know we did raise a total of $1,609.54 for just the House alone so that is a significant amount of money. We actually had a total of 105,194 pennies so that's quite a lot of copper and I'm glad there was no copper thieves around. The Sergeant-at-Arms really took awhile to unload it and carry it down from my office.

"As for the results, what I thought I'd do instead of just making it simple, I thought I'd kind of frame this like in sumo where what you have are prizes that everybody cherishes and really wants. It's not like first, second and third. Instead what they do is they name these different awards.

"So for the first award which is the *Shukun-sho* or the Outstanding Performance prize, basically the person that raised the most amount of points, that would go to Representative Meyer's office. She raised 17,710 points. Although on a footnote, she did combine hers with Representative Finnegan so we were thinking of disqualifying them, but there were no established rules so we thought that would be unfair. So again, congratulations to Representative Meyer.

"The next prize actually is the *Kanto-sho*, which is the Fighting Spirit prize, and that actually goes to you, Vice Speaker Chong, for raising the second most amount of points.

"The third prize that I did want to mention is the *Gino-sho* and that is the Technique prize. And I really must commend the Sergeant-at-Arms because they came up with a very unique way of doing it. It seems like they kind of gave up on collecting pennies after a while, but they did have a number of dollar bills and several silver coins in it. So even though they only had 40 pennies, they in fact had $148 total in their jar and so for that, I did want to recognize them.

"And the final prize I did want to give is for the *Zannen-sho*, and that's basically the Consolation prize. It's sort of the, 'Oh too bad, so sad. You didn't quite win.' And of course this goes to Representative Nishimoto because his jar got stolen, but you know their office, they all kept trying and they were in third place. So I did want to recognize them.

"And again I just wanted to thank everybody for participating and for all of these funds that are going to the Foodbank."

Representative Finnegan: "Thank you, Mr. Speaker. And thank you Majority Floor Leader. I just wanted to say that I cannot take credit for my 53 pennies, and that Coleen really did a great job."

At this time, the House of Representatives stood for a moment of silence in memory of the late Aunty Winona Beamer.

ADJOURNMENT

At 1:08 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, April 14, 2008. (Representatives Har, Karamatsu, Magaoay, McKelvey, Morita, Nakasone, Shimabukuro, Tokioka and Waters were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 11, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 2045, SD 1
H.B. No. 2263, SD 1
H.B. No. 2436, HD 2, SD 2

House Communication dated April 11, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 8, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 2163, HD 2, SD 1
H.B. No. 2517, HD 1, SD 1

House Communication dated April 11, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 4, 2008 and gives notice of intent to agree for the following House Bill No. 2301, HD 1, SD 1.

FORTY-NINTH DAY

Monday, April 14, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mrs. Winifred "Winnie" Mann, after which the Roll was called showing all members present with the exception of Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 293 through 295) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 293, informing the House that on April 11, 2008, the following bill was signed into law:

H.B. No. 2169, HD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 009)

Gov. Msg. No. 294, informing the House that on April 11, 2008, the following bill was signed into law:

S.B. No. 45, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GOVERNMENT OPERATIONS." (ACT 010)

Gov. Msg. No. 295, dated April 10, 2008, transmitting the Department of Labor and Industrial Relations' (DLIR) General Fund Information regarding Boiler and Elevator Safety for fiscal year ending June 30, 2007 as required by Section 397, Hawaii Revised Statutes.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 621 through 659) were received and announced by the Clerk:

Sen. Com. No. 621, transmitting S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING CONCRETE PILLARS AND IMPROVEMENTS PURPOSES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 622, transmitting S.C.R. No. 25, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION CONVENING A TASK FORCE ON AGING TO STUDY THE NEED FOR AND FEASIBILITY OF ESTABLISHING A DEPARTMENT OF AGING," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 623, transmitting S.C.R. No. 34, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO REPORT TO THE LEGISLATURE ON IMPLEMENTING THE TAX INCENTIVE RECOMMENDATION OF THE MAUI HEALTH INITIATIVE TASK FORCE TO ENCOURAGE THE FORMATION OF AN ADEQUATE MEDICAL SERVICES INFRASTRUCTURE TO CARE FOR THE RESIDENTS OF MAUI," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 624, transmitting S.C.R. No. 35, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE MAUI HEALTH INITIATIVE TASK FORCE AND MAUI LONG TERM CARE PARTNERSHIP TO SUBMIT THEIR FINDINGS AND RECOMMENDATIONS TO THE LONG TERM CARE COMMISSION TO IMPROVE SERVICES AND FACILITIES FOR OLDER PERSONS, VETERANS, AND PERSONS WITH DISABILITIES IN THE STATE," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 625, transmitting S.C.R. No. 37, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ESTABLISHMENT OF A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF AND HARD OF HEARING INDIVIDUALS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 626, transmitting S.C.R. No. 41, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE INDUSTRIAL HYGIENE, SAFETY, AND HEALTH PHYSICS PROFESSIONS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 627, transmitting S.C.R. No. 50, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO STUDY THE FEASIBILITY OF CREATING A RENEWABLE ENERGY SUB-DISTRICT CLASSIFICATION OF LANDS AS PERMISSIBLE LOCATIONS FOR RENEWABLE ENERGY GENERATION AND TO STUDY, WITH THE ASSISTANCE OF THE DEPARTMENT OF TAXATION, THE COST OF PROVIDING A NON-REFUNDABLE INCOME TAX CREDIT TO RESIDENTS OF COMMUNITIES OF RENEWABLE ENERGY SUB-DISTRICTS THAT PRODUCE RENEWABLE ENERGY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 628, transmitting S.C.R. No. 58, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A TASK FORCE TO REVIEW THE SUNSHINE LAW AND RECOMMEND LIMITED, PRACTICAL, AND NECESSARY EXCEPTIONS THAT ENABLE BOARDS TO EFFICIENTLY CONDUCT BUSINESS WHILE MAINTAINING PUBLIC TRUST AND ADHERENCE TO OPEN GOVERNMENT PRINCIPLES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 629, transmitting S.C.R. No. 59, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN COOPERATION WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A WORKING GROUP OF STAKEHOLDERS TO CONDUCT A STUDY AS TO THE FEASIBILITY OF PROVIDING A PERMANENT PORT AND DOCK FACILITY FOR THE VOYAGING CANOES HOKULE‘A, MAKALI‘I, HOKUALAKA‘I, NANAHOE, AND MO‘OKIHA AND TO RECOMMEND A LOCATION FOR SUCH A FACILITY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 630, transmitting S.C.R. No. 67, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH AND REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 631, transmitting S.C.R. No. 88, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PROTOTYPE

MODEL OR GUIDELINES FOR SCHOOLS, COMMUNITY GROUPS. OR VOLUNTEER ORGANIZATIONS TO FOLLOW WHEN INSTALLING OR CREATING SHADED PLAY AREAS AT PUBLIC SCHOOLS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 632, transmitting S.C.R. No. 92, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A PUBLIC FINANCIAL EDUCATION AND ASSET-BUILDING TASK FORCE," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 633, transmitting S.C.R. No. 95, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON ESTABLISHING A HAWAII STATE GEOLOGICAL SURVEY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 634, transmitting S.C.R. No. 96, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM, PERFORMANCE, AND FINANCIAL AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 635, transmitting S.C.R. No. 102, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 636, transmitting S.C.R. No. 103, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 637, transmitting S.C.R. No. 124, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MEDICAID-SPONSORED PROGRAMS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 638, transmitting S.C.R. No. 132, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO MONITOR RESEARCH THAT IS BEING CONDUCTED TO INVESTIGATE THE RISKS INVOLVED IN THE USE OF BISPHENOL-A AND PHTHALATES IN CONSUMER PRODUCTS, INCLUDING CHILDREN'S TOYS AND CHILDCARE PRODUCTS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 639, transmitting S.C.R. No. 135, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO SURVEY OTHER STATES TO DETERMINE HOW NURSING FACILITIES IN RURAL AREAS ADDRESS THEIR TRANSPORTATION AND PARKING ISSUES RELATED TO THE TRANSPORT OF NURSING FACILITY RESIDENTS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 640, transmitting S.C.R. No. 144, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF AGRICULTURE, OFFICE OF PLANNING, LAND USE COMMISSION, HONOLULU CITY COUNCIL, AND CITY AND COUNTY OF HONOLULU TO SUPPORT AND FURTHER THE DESIGNATION OF GALBRAITH LANDS AS IMPORTANT AGRICULTURAL LANDS, AND PRESERVE AND PERPETUATE THEM AS AGRICULTURAL LANDS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 641, transmitting S.C.R. No. 160, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO REVIEW PAROLE POLICIES IN HAWAII AND OTHER JURISDICTIONS AND TO DETERMINE THE RATES OF RECIDIVISM OF PAROLEES ACCORDING TO GENDER, PRIOR CRIMINAL HISTORY, SUBSTANCE ABUSE HISTORY, TYPE OF OFFENSE FOR WHICH PAROLED, TYPE OF PAROLE SUPERVISION, AND NEW OFFENSE," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 642, transmitting S.C.R. No. 162, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO REPORT THE FISCAL IMPACT AND RATE OF USAGE BY TAXPAYERS OF VARIOUS TAX CREDITS AND EXEMPTIONS UNDER CHAPTERS 235, 237, 239, AND 244D, HAWAII REVISED STATUTES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 643, transmitting S.C.R. No. 163, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TAXATION TO EXAMINE THE PAYMENT OF GENERAL EXCISE TAXES ON ALL COMMISSIONS EARNED BY MANUFACTURER'S SALES REPRESENTATIVES FROM SALES OF IMPORTED TANGIBLE PERSONAL PROPERTY THAT IS PURCHASED BY A CONSUMER DIRECTLY FROM THE MANUFACTURER," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 644, transmitting S.C.R. No. 166, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII TOURISM AUTHORITY, IN COOPERATION AND CONJUNCTION WITH THE DEPARTMENT OF HEALTH, UNIVERSITY OF HAWAII SCHOOL OF OCEAN AND EARTH SCIENCE AND TECHNOLOGY, HONOLULU EMERGENCY SERVICES DEPARTMENT, AND APPROPRIATE WATER SAFETY ORGANIZATIONS TO FURNISH, AS PART OF A MULTI-LINGUAL INFORMATION AND EDUCATION PROGRAM, INFORMATION FOR VISITORS ON WATER SAFETY AND RECREATIONAL HAZARDS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 645, transmitting S.C.R. No. 189, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY TO DEFER DECISIONS ON ANY APPLICATIONS FOR ZONING CHANGES UNTIL THE COMPLETION OF THE SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT PROCESS AND THE SUBSEQUENT ADOPTION OF THE DRAFT MAUKA AREA PLAN AND THE MAUKA AREA RULES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 646, transmitting S.C.R. No. 196, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 647, transmitting S.C.R. No. 200, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII CENTERS FOR INDEPENDENT LIVING," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 648, transmitting S.C.R. No. 205, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE DEPARTMENT OF DEFENSE TO EXTEND THE TIME

FOR ELIGIBILITY TO RECEIVE EDUCATIONAL BENEFITS FOR GUARD SERVICEMEMBERS WHO HAVE SERVED ON ACTIVE DUTY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 649, transmitting S.C.R. No. 206, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING AND ACKNOWLEDGING SEPTEMBER 2ND OF EVERY YEAR AS QUEEN LILIU‘OKALANI’S BIRTHDAY IN THE STATE OF HAWAI‘I, A NON-STATE HOLIDAY, AND COMMEMORATING QUEEN LILIU‘OKALANI FOR HER OUTSTANDING COURAGE AND DEDICATION TO HER PEOPLE IN THE FACE OF OPPRESSION," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 650, transmitting S.C.R. No. 207, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES TO DEVELOP A PLAN TO HAVE ALL SIGNS AT THE STATE CAPITOL PRINTED IN ENGLISH AND HAWAIIAN," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 651, transmitting S.C.R. No. 208, S.D. 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING, ACKNOWLEDGING, AND EXPRESSING GRATITUDE TO THE PEOPLE OF KALAUPAPA AND THEIR FAMILIES FOR THEIR GREAT SACRIFICES AND HARDSHIPS AS A RESULT OF THEIR FORCED ISOLATION, WHICH AT THE TIME WAS BELIEVED TO PROTECT THE PUBLIC'S HEALTH, AND APOLOGIZING TO THE PEOPLE OF KALAUPAPA AND THEIR FAMILIES FOR ANY HARSH RESTRICTIONS THAT CAUSED THEM UNDUE PAIN AS THE RESULT OF FORMER GOVERNMENT POLICIES SURROUNDING LEPROSY," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 652, transmitting S.C.R. No. 212, S.D. 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO INVESTIGATE PROCUREMENT AND EXPENDITURE PRACTICES OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND SELECTED ATTACHED AGENCIES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 653, transmitting S.C.R. No. 232, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO INVESTIGATE AND DEVELOP FEASIBILITY AND IMPLEMENTATION MODELS REGARDING MERGING THE LAND COURT AND REGULAR SYSTEMS, REASSIGNING THE BUREAU OF CONVEYANCES TO ANOTHER STATE DEPARTMENT, AND PRIVATIZING CERTAIN FUNCTIONS OF THE BUREAU OF CONVEYANCES," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 654, transmitting S.C.R. No. 234, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO IMPROVE THE VIABILITY OF HAWAII'S GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 655, dated April 11, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

2500, H.D. 1, S.D. 1	Baker, Chair; Tsutsui, Chun Oakland, English, Fukunaga, Hooser, Inouye, Kim, Menor, Tokuda, Hemmings, Whalen
118, S.D. 1	Baker, Chair; Tsutsui, Hemmings

Sen. Com. No. 656, dated April 11, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

6, HD 2	Hee, Chair; Fukunaga, Whalen
409, SD 2, HD 1	Ige, Chair; Baker, Fukunaga, Trimble
546, SD 2, HD 1	Hee, Chair; Tokuda, Co-Chair; Whalen
711, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Hooser, Slom
1337, HD 1	Taniguchi, Chair; Hee, Slom
1487, SD 2, HD 2	Ige, Chair; Taniguchi, Co-Chair; Fukunaga, Nishihara, Whalen
1491, SD 1, HD 2	Espero, Chair; Tsutsui, Co-Chair; Nishihara, Whalen
1526, SD 2, HD 3	Taniguchi, Chair; Baker, Co-Chair; Slom
1617, SD 1, HD 1	Taniguchi, Chair; Gabbard, Slom
1780, SD 2, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Gabbard, Hemmings
1802, HD 1	Ige, Chair; Taniguchi, Co-Chair; Fukunaga, Whalen
1891, SD 1, HD 1	Hee, Chair; Taniguchi, Co-Chair; Kokubun, Whalen
1934, SD 1, HD 1	Fukunaga, Chair; Baker, Co-Chair; Hooser, Ige, Slom
1961, SD 1, HD 1	Taniguchi, Chair; Kokubun, Whalen
2004, SD 2, HD 2	Sakamoto, Chair; Chun Oakland/Tsutsui, Co-Chairs; Nishihara, Slom
2040, SD 1, HD 2	Ige, Chair; Baker, Fukunaga, Whalen
2041, HD 1	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Whalen
2054, SD 2, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
2055, SD 2, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Kokubun, Hemmings
2080, SD 2, HD 2	Sakamoto, Chair; Taniguchi, Co-Chair; Tokuda, Slom
2082, SD 2, HD 1	Espero, Chair; Baker, Co-Chair; Nishihara, Whalen
2083, SD 2, HD 1	Espero, Chair; Taniguchi/Tsutsui, Co-Chairs; Whalen
2088, SD 1, HD 1	Espero, Chair; Tsutsui, Co-Chair; Slom
2094, SD 2, HD 2	English, Chair; Kokubun, Co-Chair; Trimble
2146, SD 2, HD 1	Ige, Chair; Kokubun/Baker, Co-Chairs; Fukunaga, Whalen
2150, SD 2, HD 2	Chun Oakland, Chair; Taniguchi/Baker, Co-Chairs; Hemmings

2151, SD 2, HD 1	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
2157, SD 1, HD 2	Taniguchi, Chair; Ige, Co-Chair; Slom
2163, SD 1, HD 1	Sakamoto, Chair; Tokuda, Nishihara, Gabbard, Slom
2169, SD 1, HD 1	Kokubun, Chair; Ige, Taniguchi, Trimble
2170, SD 1, HD 1	Inouye, Chair; Taniguchi, Co-Chair; Kokubun, Hemmings
2191, SD 2, HD 1	Kokubun, Chair; Baker, Co-Chair; Trimble
2196, SD 2, HD 2	Fukunaga, Chair; Hee/Baker, Co-Chairs; Whalen
2198, SD 2, HD 2	Hee, Chair; Fukunaga/Baker, Co-Chairs; Whalen
2202, HD 1	Taniguchi, Chair; Baker, Co-Chair; Slom
2212, SD 1, HD 2	Taniguchi, Chair; Gabbard, Slom
2218, SD 1, HD 2	Taniguchi, Chair; Baker, Co-Chair; Slom
2245, SD 1, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
2262, SD 1, HD 2	Taniguchi, Chair; Baker, Co-Chair; Nishihara, Whalen
2263, SD 2, HD 1	Sakamoto, Chair; Taniguchi, Co-Chair; Tokuda, Slom
2273, SD 2, HD 3	Fukunaga, Chair; Baker, Co-Chair; Slom
2301, SD 1, HD 1	Taniguchi, Chair; Nishihara, Slom
2313, SD 1, HD 2	Kokubun, Chair; Baker, Co-Chair; Taniguchi, Trimble
2314, SD 1, HD 2	Ige, Chair; Kokubun, Co-Chair; Fukunaga, Whalen
2315, SD 2, HD 1	Kokubun, Chair; Fukunaga/Baker, Co-Chairs; Trimble
2334, SD 2, HD 1	Espero, Chair; Taniguchi, Co-Chair; Nishihara, Whalen
2341, SD 1, HD 1	Espero, Chair; Taniguchi, Co-Chair; Nishihara, Whalen
2342, SD 2, HD 1	Espero, Chair; Tsutsui, Co-Chair; Nishihara, Whalen
2345, SD 1, HD 1	Chun Oakland, Chair; Espero, Co-Chair; Sakamoto, Hemmings
2363, SD 2, HD 1	Ige, Chair; Taniguchi, Co-Chair; Gabbard, Whalen
2373, SD 1, HD 2	Kokubun, Chair; Taniguchi, Co-Chair; Ige, Whalen
2394, HD 2	Fukunaga, Chair; Baker, Co-Chair; Ige, Hooser, Slom
2396, SD 1, HD 3	Ige, Chair; Taniguchi/Baker, Co-Chairs; Nishihara, Whalen
2400, SD 1, HD 1	Taniguchi, Chair; Hee, Slom
2407, SD 1, HD 1	Kokubun, Chair; Taniguchi, Espero, Trimble
2421, SD 2, HD 1	Hee, Chair; Tsutsui, Co-Chair; Whalen
2423, SD 2, HD 2	Hee, Chair; Baker, Co-Chair; Fukunaga, Whalen
2433, SD 2, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
2434, HD 1	Fukunaga, Chair; Kim, Co-Chair; Tsutsui, Espero, Whalen
2436, SD 1, HD 1	Taniguchi, Chair; Nishihara, Slom
2441, HD 1	English, Chair; Inouye, Co-Chair; Gabbard, Trimble
2449, SD 2, HD 2	Sakamoto, Chair; Gabbard, Co-Chair; Taniguchi, Slom
2454, SD 1, HD 1	Kokubun, Chair; Taniguchi, Espero, Trimble
2456, SD 2, HD 1	Fukunaga, Chair; Taniguchi, Co-Chair; Slom
2459, SD 2, HD 1	Ige, Chair; Kokubun, Co-Chair; Fukunaga, Chun Oakland, Whalen
2464, HD 1	Fukunaga, Chair; Espero, Slom
2480, SD 2, HD 2	Ige, Chair; Sakamoto/Chun Oakland/Baker, Co-Chairs
2493, HD 1	Taniguchi, Chair; Baker, Co-Chair; Whalen
2499, HD 1	Tokuda, Chair; English, Hee, Slom
2542, SD 2, HD 2	Ige, Chair; Chun Oakland/Baker, Co-Chairs; Whalen
2546, SD 2, HD 1	Espero, Chair; Tsutsui, Co-Chair; Nishihara, Whalen
2579, SD 2, HD 1	Taniguchi, Chair; Baker, Co-Chair; Whalen
2583, SD 1, HD 1	Fukunaga, Chair; Tsutsui, Co-Chair; Slom
2584, SD 2, HD 1	Tokuda, Chair; Kokubun, Co-Chair; Taniguchi, Slom
2644, SD 1, HD 1	Fukunaga, Chair; Tokuda, Co-Chair; Espero, Kokubun, Whalen
2652, SD 2, HD 2	Sakamoto, Chair; Gabbard/Baker, Co-Chairs; Nishihara, Taniguchi, Slom
2660, SD 3, HD 2	Sakamoto, Chair; Fukunaga/Tsutsui, Co-Chairs; Chun Oakland, Slom
2663, SD 2, HD 2	Sakamoto, Chair; Baker, Co-Chair; Nishihara, Gabbard, Slom
2668, SD 2, HD 1	Sakamoto, Chair; Tsutsui, Co-Chair; Hee, Hooser, Slom
2720, SD 2, HD 1	Inouye, Chair; Tsutsui, Co-Chair; Hemmings
2730, SD 2, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
2748, SD 1, HD 1	Nishihara, Chair; Kim, Hooser

2768, SD 2, HD 1	Ige, Chair; Baker, Co-Chair; Tsutsui, Whalen
2779, HD 2	Taniguchi, Chair; Baker, Co-Chair; Whalen
2780, SD 2, HD 1	Taniguchi, Chair; Nishihara/Baker, Co-Chairs
2783, SD 2, HD 1	Kokubun, Chair; Baker, Co-Chair; Taniguchi, Trimble
2784, SD 1, HD 1	Taniguchi, Chair; Gabbard, Slom
2785, SD 1, HD 1	Taniguchi, Chair; Hee, Slom
2803, SD 1, HD 1	Fukunaga, Chair; Taniguchi/Baker, Co-Chairs; Slom
2824, SD 2, HD 1	Nishihara, Chair; Baker, Co-Chair; Kim
2825, SD 1, HD 2	Nishihara, Chair; Tsutsui, Co-Chair; Kim, Trimble
2826, SD 2, HD 1	Nishihara, Chair; Tsutsui, Co-Chair; Kim, Trimble
2827, SD 1, HD 1	Nishihara, Chair; Kim, Hooser
2829, SD 2, HD 2	Fukunaga, Chair; Baker, Co-Chair
2830, SD 2, HD 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Fukunaga, Hemmings
2831, SD 1, HD 1	Chun Oakland, Chair; Sakamoto/Baker, Co-Chairs; Ihara, Hemmings
2833, SD 1, HD 1	Kokubun, Chair; Baker, Co-Chair; Taniguchi, Hemmings
2838, SD 2, HD 1	Chun Oakland, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Hemmings
2840, SD 2, HD 1	Chun Oakland, Chair; Fukunaga/Baker, Co-Chairs; Hooser, Hemmings
2850, SD 2, HD 2	Tokuda, Chair; Menor/Baker, Co-Chairs; Gabbard, Slom
2857, SD 2, HD 1	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
2864, SD 2, HD 2	Kokubun, Chair; Ige/Baker, Co-Chairs; Trimble
2867, SD 2, HD 2	Nishihara, Chair; Taniguchi, Co-Chair; Kim, Trimble
2876, HD 2	Taniguchi, Chair; Baker, Co-Chair; Kokubun, Slom
2878, SD 2, HD 2	Sakamoto, Chair; Chun Oakland/Baker, Co-Chairs; Gabbard Whalen
2879, SD 2, HD 1	Sakamoto, Chair; Taniguchi/Tsutsui, Co-Chairs; Nishihara, Slom
2882, SD 1, HD 1	Ige, Chair; Fukunaga, Whalen
2886, SD 1, HD 2	Taniguchi, Chair; Gabbard, Slom
2891, SD 1, HD 1	Espero, Chair; Tsutsui, Co-Chair; Slom
2895, SD 1, HD 1	Tokuda, Chair; Taniguchi, Co-Chair; Hee, Slom
2896, SD 2, HD 2	Kokubun, Chair; Taniguchi, Co-Chair; Sakamoto
2961, SD 2, HD 2	Taniguchi, Chair; Tsutsui, Co-Chair; Slom
2977, SD 1, HD 2	Taniguchi, Chair; Chun Oakland/Tsutsui, Co-Chairs; Slom
2982, HD 2	Kokubun, Chair; Taniguchi, Trimble
2997, SD 1, HD 1	Hee, Chair; Fukunaga, Whalen
3008, SD 2, HD 1	Kokubun, Chair; Taniguchi, Co-Chair; Trimble
3009, SD 2, HD 2	Kokubun, Chair; Taniguchi/Baker, Co-Chairs; Slom
3015, SD 2, HD 2	Ige, Chair; Kokubun, Co-Chair; Fukunaga, Whalen
3019, SD 1, HD 2	Kokubun, Chair; Taniguchi, Trimble
3023, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Taniguchi, Trimble
3030, SD 2, HD 2	Kokubun, Chair; Baker, Co-Chair; Espero, Whalen
3050, SD 1, HD 2	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
3051, SD 2, HD 1	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
3061, HD 1	Chun Oakland, Chair; Hooser, Hemmings
3069, SD 2, HD 1	Ige, Chair; Taniguchi, Co-Chair; Baker, Whalen
3076, HD 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
3080, SD 1, HD 1	Ige, Chair; Taniguchi, Co-Chair; Fukunaga, Whalen
3087, SD 1, HD 1	Nishihara, Chair; Taniguchi, Co-Chair; Trimble
3092, SD 1, HD 1	Taniguchi, Chair; Nishihara, Kokubun, Slom
3102, SD 2, HD 1	Hee, Chair; Tsutsui, Co-Chair; Whalen
3137, SD 2, HD 1	Hee, Chair; Tsutsui, Co-Chair; Whalen
3138, SD 1, HD 1	Hee, Chair; Tsutsui, Co-Chair; Whalen
3165, SD 2, HD 2	Fukunaga, Chair; Gabbard/Chun Oakland/Baker, Co-Chairs; Whalen
3166, HD 1	Fukunaga, Chair; Hee, Co-Chair; Slom
3171, SD 2, HD 2	Taniguchi, Chair; Kokubun/Baker, Co-Chairs; Whalen
3182, SD 1, HD 1	Taniguchi, Chair; Baker, Co-Chair; Slom
3202, HD 1	Taniguchi, Chair; Kokubun
3203, SD 1, HD 1	Taniguchi, Chair; Kokubun
3206, SD 2, HD 1	Hee, Chair; Baker, Co-Chair; Whalen

3227, SD 2, HD 1	English, Chair; Hee/Baker, Co-Chairs; Gabbard, Kokubun, Trimble
3252, SD 2, HD 2	Sakamoto, Chair; Baker, Co-Chair; Tokuda, Nishihara, Trimble
3255, SD 2, HD 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
3257, SD 3, HD 2	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Hemmings
3258, SD 3, HD 1	Chun Oakland, Chair; Ige/Baker, Co-Chairs; Hemmings

Sen. Com. No. 657, transmitting S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A DEGREE PROGRAM FOR SPORTS AND ENTERTAINMENT MANAGEMENT AT THE UNIVERSITY OF HAWAII," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 658, transmitting S.C.R. No. 210, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATURE TO REVIEW THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE," which was adopted by the Senate on April 11, 2008.

Sen. Com. No. 659, dated April 14, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

7 HD 1 SD 1	Ige, Chair; Kokubun, Co-Chair; Taniguchi, Trimble
94 HD1 SD2	Kokubun, Chair; Taniguchi, Co-Chair; Ige, Trimble
362 HD1 SD1	English, Chair; Taniguchi, Co-Chair; Gabbard, Trimble
466 HD1 SD2	Ige, Chair; Taniguchi/Baker, Co-Chairs; Whalen
509 HD2 SD2	English, Chair; Inouye/Baker, Co-Chairs; Whalen
516 HD1 SD1	Taniguchi, Chair; Gabbard, Slom
523 HD2 SD1	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
602 HD2 SD2	Sakamoto, Chair; Tsutsui, Co-Chair
660 SD1	Inouye, Chair; Taniguchi, Co-Chair; Hemmings
1037 HD1 SD1	Hee, Chair; Inouye/Menor, Co-Chairs; Whalen
1402 HD2 SD2	Espero, Chair; Taniguchi/Tsutsui, Co-Chairs; Nishihara, Whalen
1412 HD1 SD1	Fukunaga, Chair; Baker, Co-Chair; Ige, Hooser, Hemmings
1745 HD3 SD1	Taniguchi, Chair; Kokubun, Nishihara
1832 HD1 SD1	Taniguchi, Chair; Nishihara, Slom
1978 HD1 SD1	Taniguchi, Chair; Gabbard, Trimble
2003 SD1	Menor, Chair; Tsutsui, Co-Chair; Trimble
2005 HD1 SD3	Menor, Chair; Fukunaga/Baker, Co-Chairs; Hemmings
2009 SD1	Espero, Chair; Tsutsui, Co-Chair; Sakamoto, Whalen
2040 SD2	Fukunaga, Chair; Kokubun/Baker, Co-Chairs; Taniguchi
2045 SD1	Sakamoto, Chair; Tsutsui, Co-Chair; Chun Oakland, Whalen
2047 HD2 SD2	Chun Oakland, Chair; Baker, Co-Chair; Hooser, Whalen
2085 HD1 SD2	Tokuda, Chair; Kokubun, Hemmings
2137 HD2 SD3	Ige, Chair; Fukunaga/Baker, Co-Chairs; Whalen
2139 HD2 SD1	Ige, Chair; Taniguchi, Co-Chair; Whalen
2164 HD1 SD1	Ige, Chair; Sakamoto/Baker, Co-Chairs; Whalen
2196 HD2 SD2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
2204 HD1 SD1	Taniguchi, Chair; Kokubun, Whalen
2238 HD1 SD1	Chun Oakland, Chair; Tsutsui, Co-Chair; Sakamoto, Hemmings
2245 HD1 SD2	Sakamoto, Chair; Baker, Co-Chair; Slom
2253 HD2 SD1	Taniguchi, Chair; Kokubun, Slom
2255 HD2 SD2	Kokubun, Chair; Taniguchi, Co-Chair; Ige, Trimble
2256 HD2 SD1	Ige, Chair; Kokubun/Taniguchi, Co-Chairs; Whalen
2263 SD1	Menor, Chair; English, Co-Chair; Hemmings
2271 HD1 SD2	Ige, Chair; Tsutsui, Co-Chair; Tokuda, Whalen
2272 HD2 SD2	Chun Oakland, Chair; Taniguchi/Baker, Co-Chairs; Hemmings
2293 HD1 SD2	Tokuda, Chair; Hee/Baker, Co-Chairs; Whalen
2301 HD1 SD1	Ige, Chair; Kokubun, Co-Chair; Whalen
2302 HD2 SD2	Kokubun, Chair; Taniguchi/Baker, Co-Chairs; Tokuda, Trimble
2346 HD2 SD2	Chun Oakland, Chair; Taniguchi, Co-Chair; Hemmings
2372 HD2 SD2	Kokubun, Chair; Tsutsui, Co-Chair; Taniguchi, Trimble
2376 HD1 SD1	Inouye, Chair; Baker, Co-Chair; Hemmings
2395 HD1 SD2	Fukunaga, Chair; Baker, Co-Chair; Ige, Hemmings
2408 HD1 SD2	Kokubun, Chair; Taniguchi/Baker, Co-Chairs; Trimble
2415 HD1 SD2	Fukunaga, Chair; Baker, Co-Chair; Kim, Slom

2429 HD2 SD2	Fukunaga, Chair; Sakamoto/Tsutsui, Co-Chairs; Hemmings
2436 HD2 SD2	Espero, Chair; Taniguchi, Co-Chair; Nishihara, Whalen
2438 HD2 SD2	Kokubun, Chair; Ige/Taniguchi, Co-Chairs
2450 HD1 SD2	Tokuda, Chair; Fukunaga/Taniguchi, Co-Chairs; Kokubun, Slom
2456 HD2 SD1	Taniguchi, Chair; Fukunaga/Baker, Co-Chairs; Hemmings
2460 SD1	Kokubun, Chair; Taniguchi, Espero, Trimble
2473 HD2 SD2	Fukunaga, Chair; Baker, Co-Chair; Slom
2486 SD1	Espero, Chair; Fukunaga, Slom
2492 HD1 SD1	Kokubun, Chair; Espero, Trimble
2505 HD2 SD2	Menor, Chair; Baker, Co-Chair; Trimble
2506 HD2 SD2	Menor, Chair; Nishihara/Baker, Co-Chairs; Hemmings
2507 HD1 SD2	Menor, Chair; Baker, Co-Chair; Trimble
2511 HD1 SD2	Chun Oakland, Chair; Baker, Co-Chair; Hemmings
2519 HD2 SD2	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
2520 HD3 SD2	Chun Oakland, Chair; Taniguchi/Baker, Co-Chairs; Ihara, Hemmings
2524 SD1	English, Chair; Inouye, Co-Chair; Trimble
2526 SD2	Hee, Chair; Inouye/Kokubun/Baker, Co-Chairs; Taniguchi, Whalen
2527 HD1 SD1	Kokubun, Chair; Tsutsui, Co-Chair; Taniguchi, Trimble
2531 HD1 SD2	English, Chair; Nishihara/Baker, Co-Chairs; Trimble
2540 HD1 SD1	Ige, Chair; Tsutsui, Co-Chair; Fukunaga, Whalen
2547 SD1	Sakamoto, Chair; Baker, Co-Chair; Slom
2550 HD2 SD2	Menor, Chair; Kokubun, Co-Chair; Taniguchi, Trimble
2557 HD1 SD1	Taniguchi, Chair; Gabbard, Slom
2587 HD1 SD1	Fukunaga, Chair; Sakamoto/Baker, Co-Chairs; Ige, Slom
2589 HD2 SD2	Kokubun, Chair; Taniguchi, Co-Chair; Espero, Slom
2591 HD1 SD1	Kokubun, Chair; Espero, Trimble
2605 HD2 SD1	Baker, Chair; Inouye, Tsutsui, Hemmings
2614 SD1	Sakamoto, Chair; Tsutsui, Co-Chair; Gabbard, Slom
2661 HD2 SD2	Menor, Chair; Tsutsui, Co-Chair; Hemmings
2662 HD2 SD2	Kokubun, Chair; Chun Oakland, Co-Chair; Taniguchi, Kim, Trimble
2672 HD2 SD1	Tsutsui, Chair; Baker, Hemmings
2685 HD1 SD1	Espero, Chair; Tsutsui, Co-Chair; Nishihara, Whalen
2687 HD1 SD2	Hee, Chair; Baker, Co-Chair; Whalen
2699 HD1 SD1	Taniguchi, Chair; Kokubun, Slom
2704 HD2 SD1	Hee, Chair; Tokuda/Taniguchi/Baker, Co-Chairs; Whalen
2710 HD2 SD2	Taniguchi, Chair; Inouye/Baker, Co-Chairs; Slom
2727 HD2 SD1	Ige, Chair; Kokubun, Co-Chair; Whalen
2729 HD1 SD1	Taniguchi, Chair; Gabbard, Slom
2739 HD1 SD2	Tokuda, Chair; Fukunaga/Baker, Co-Chairs; Hemmings
2770 HD1 SD2	Chun Oakland, Chair; Baker, Co-Chair; Hemmings
2781 HD2 SD2	Fukunaga, Chair; Taniguchi/Tsutsui, Co-Chairs; Slom
2810 HD1 SD1	Tokuda, Chair; Hee/Kokubun, Co-Chairs; Slom
2811 SD2	Menor, Chair; Tsutsui, Co-Chair; Whalen
2843 HD2 SD2	Tokuda, Chair; Menor/English/Baker, Co-Chairs; Tsutsui, Whalen
2847 SD1	English, Chair; Gabbard, Whalen
2860 HD2 SD3	English, Chair; Fukunaga/Baker, Co-Chairs; Hemmings
2872 SD2	Hee, Chair; Baker, Co-Chair; Whalen
2881 HD2 SD2	Ige, Chair; Chun Oakland/Baker, Co-Chairs; Whalen
2887 HD2 SD1	Tokuda, Chair; Ige/Kokubun, Co-Chairs; English, Slom
2894 SD1	Kokubun, Chair; Espero, Trimble
2908 SD1	Baker, Chair; Tsutsui, Kim, Whalen
2917 HD2 SD1	English, Chair; Hee, Co-Chair; Trimble
2922 HD1 SD2	Menor, Chair; Tsutsui, Co-Chair; Trimble
2929 HD1 SD1	Taniguchi, Chair; Hee, Kokubun
2953 SD1	English, Chair; Taniguchi, Co-Chair; Trimble
2954 SD1	English, Chair; Inouye, Co-Chair; Tsutsui, Hemmings
2955 HD1 SD1	Fukunaga, Chair; Tokuda/Baker, Co-Chairs; Slom

2961 HD2 SD2	Fukunaga, Chair; Baker, Co-Chair; Hooser, Chun Oakland
2965 HD2 SD2	Tokuda, Chair; Kokubun/Tsutsui, Co-Chairs; Slom
2971 HD1 SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Slom
2972 HD1 SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Nishihara, Gabbard, Slom
2977 HD1 SD1	Menor, Chair; Inouye, Co-Chair; Hemmings
2978 HD1 SD2	Sakamoto, Chair; Tsutsui, Co-Chair; Tokuda, Slom
3002 HD1 SD1	Taniguchi, Chair; Gabbard, Slom
3011 HD1 SD1	English, Chair; Taniguchi, Co-Chair; Hemmings
3016 HD3 SD2	Espero, Chair; Hee/Baker, Co-Chairs; Whalen
3040 HD1 SD1	Taniguchi, Chair; Gabbard, Slom
3059 HD1 SD3	Chun Oakland, Chair; Fukunaga/Tsutsui, Co-Chairs; Sakamoto, Hemmings
3085 HD2 SD1	Kokubun, Chair; Taniguchi, Co-Chair; Trimble
3109 SD1	Kokubun, Chair; Ige, Trimble
3120 HD2 SD1	Tokuda, Chair; Tsutsui, Co-Chair; Hee, Slom
3126 SD2	Tokuda, Chair; Tsutsui, Co-Chair; Gabbard, Slom
3140 SD2	Chun Oakland, Chair; Baker, Co-Chair; Hemmings
3151 HD2 SD1	Menor, Chair; Baker, Co-Chair; Trimble
3173 HD1 SD1	Hee, Chair; Taniguchi, Co-Chair; Kokubun, Whalen
3174 HD1 SD1	Hee, Chair; Fukunaga, Whalen
3176 HD1 SD2	Hee, Chair; Taniguchi, Co-Chair; Kokubun, Whalen
3177 HD1 SD2	Hee, Chair; Taniguchi, Co-Chair; Kokubun, Whalen
3178 SD2	Hee, Chair; Taniguchi, Co-Chair; Kokubun, Whalen
3179 SD1	Menor, Chair; Tokuda, Co-Chair; Trimble
3191 HD1 SD2	Fukunaga, Chair; Baker, Co-Chair; Slom
3196 HD1 SD2	Kokubun, Chair; Fukunaga/Baker, Co-Chairs; Taniguchi, Tsutsui
3197 SD1	English, Chair; Baker, Co-Chair; Trimble
3249 HD1 SD1	English, Chair; Taniguchi, Co-Chair; Trimble
3331 HD2 SD2	Kokubun, Chair; Taniguchi, Co-Chair; Espero, Trimble
3348 HD2 SD2	Espero, Chair; Tsutsui, Co-Chair; Fukunaga, Slom
3352 HD2 SD2	Chun Oakland, Chair; Tsutsui, Co-Chair; Fukunaga, Hemmings
3367 HD2 SD2	Kokubun, Chair; Tsutsui, Co-Chair; Ige, Trimble
3377 SD2	English, Chair; Taniguchi/Tsutsui, Co-Chairs; Trimble
3383 SD1	Taniguchi, Chair; Nishihara, Slom
3386 HD1 SD2	Nishihara, Chair; Taniguchi/Baker, Co-Chairs; Tsutsui, Kokubun

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Mizuno recognized the many participants of "Special Needs Children, Parents and Advocates Day at the Capitol," and introduced Ms. Naomi Grossman with the Autism Society of Hawaii; Mr. Roy Yamane and Ms. Linda Elento with the Hawaii Down Syndrome Congress; and Ms. Kalma Wong with Autism Speaks.

Representative Green introduced special needs advocates from Maui, Mr. Jeff Schwartz of Lokelani Ohana, and Ms. Sarah Garbut of Autism Bridges, Maui; and from the Big Island, Mr. Jeffrey Neuman with the Autism Society of Hawaii.

Representative Caldwell introduced student leaders from Stevenson Middle School: Sharon Kim, Student Body President; Elizabeth Ki, Student Body Treasurer; and Brannagan Mukaisu, 8th Grade President. They were accompanied by Ms. Wendy Okamoto, Student Activities Coordinator; Mr. Malcolm Cogbill, Science Teacher; Mr. Ken Agcaoili Curriculum Coordinator; and Mr. Gregg Lee, Principal.

Representative Har introduced members of the University of Hawaii at Manoa, MADD Chapter: Dee Urono, Cami Iwata, Nohea Taufaasau, Jon Valdez, Christin Wehrsig, Tania Brown, and Matt Prellberg.

ORDER OF THE DAY

COMMITTEE ASSIGNMENTS

The following concurrent resolutions were referred to committee by the Speaker:

S.C.R. Nos.	Referred to:
4	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
17, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
20, SD1	Committee on Health, then to the Committee on Finance
25, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance

34	Committee on Health, then to the Committee on Finance
35, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
37, SD1	Committee on Human Services & Housing, then to the Committee on Legislative Management
41, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
50, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
58, SD1	Committee on Judiciary, then to the Committee on Legislative Management
59, SD1	Jointly to the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
67, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Labor & Public Employment, then to the Committee on Finance
70	Committee on Higher Education, then to the Committee on Legislative Management
88, SD1	Committee on Education, then to the Committee on Health
92, SD1	Committee on Human Services & Housing, then to the Committee on Legislative Management
93, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Public Safety & Military Affairs
95	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Legislative Management
96, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management
102, SD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment, then to the Committee on Finance
103	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Legislative Management
118, SD1	Committee on Education, then to the Committee on Finance
124, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Health, then to the Committee on Legislative Management
126	Committee on Energy & Environmental Protection, then to the Committee on Finance
132, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce
135	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Finance
144	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Agriculture
147, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
152, SD1	Committee on Human Services & Housing
160, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management
161, SD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Public Safety & Military Affairs, then to the Committee on Finance
162, SD1	Committee on Finance
163, SD1	Committee on Economic Development & Business Concerns, then to the Committee on Finance
166, SD1	Committee on Tourism & Culture, then to the Committee on Finance
189, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection
196, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
200, SD1	Committee on Human Services & Housing, then to the Committee on Legislative Management
202, SD1	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Judiciary
205, SD1	Committee on Public Safety & Military Affairs, then to the Committee on Finance
206	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs
207, SD1	Committee on Tourism & Culture, then to the Committee on Finance
208, SD1	Committee on Tourism & Culture
210	Committee on Water, Land, Ocean Resources & Hawaiian Affairs
212, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Legislative Management
230	Jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Energy & Environmental Protection

232 Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Judiciary, then to the Committee on Legislative Management

234 Committee on Agriculture, then to the Committee on Transportation

235, SD1 Jointly to the Committee on Higher Education and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

H.B. Nos.	**Re-referred to:**
94, HD1, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
509, HD2, SD2	Committee on Transportation, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
1037, HD1, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection
1402, HD2, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2040, SD2	Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance
2224, HD1, SD2	Committee on Health, then to the Committee on Economic Development & Business Concerns, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce
2256, HD2, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2306, HD2, SD2	Committee on Public Safety & Military Affairs, then to the Committee on Health, then to the Committee on Finance
2372, HD2, SD2	Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2395, HD1, SD2	Committee on Economic Development & Business Concerns, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
2408, HD1, SD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Finance
2520, HD3, SD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2521, HD2, SD3	Committee on Higher Education, then jointly to the Committee on Tourism & Culture and the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2526, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance
2527, HD1, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance
2540, HD1, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Finance
2587, HD1, SD1	Committee on Tourism & Culture, then to the Committee on Economic Development & Business Concerns, then jointly to the Committee on Education and the Committee on Higher Education, then to the Committee on Finance
2662, HD2, SD2	Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2672, HD2, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Labor & Public Employment, then to the Committee on Finance
2675, HD2, SD1	Committee on Health, then jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary
2700, HD1, SD2	Committee on Judiciary, then to the Committee on Finance
2704, HD2, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2727, HD2, SD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2781, HD2, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
2811, SD2	Committee on Energy & Environmental Protection, then to the Committee on Higher Education, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2843, HD2, SD2	Jointly to the Committee on Agriculture and the Committee on Transportation, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance

2872, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2887, HD2, SD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Health, then to the Committee on Consumer Protection & Commerce
2920, SD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2929, HD1, SD1	Committee on Labor & Public Employment, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
3016, HD3, SD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
3174, HD1, SD1	Committee on Judiciary, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
3178, SD2	Committee on Judiciary, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
3179, SD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Agriculture, then to the Committee on Finance
3348, HD2, SD2	Committee on Tourism & Culture, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
3407, HD1, SD1	Committee on Energy & Environmental Protection, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

S.B. Nos.	**Re-referred to:**
409, SD2, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
711, HD2	Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
1793, SD1, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Finance
1934, SD1, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce
1961, SD1, HD1	Committee on Judiciary, then to the Committee on Consumer Protection & Commerce
2004, SD2, HD2	Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2055, SD2, HD2	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2083, SD2, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2146, SD2, HD1	Jointly to the Committee on Higher Education and the Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2157, SD1, HD2	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
2196, SD2, HD2	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Judiciary, then to the Committee on Finance
2218, SD1, HD2	Committee on Human Services & Housing, then to the Committee on Judiciary, then to the Committee on Finance
2245, SD1, HD2	Committee on Transportation, then to the Committee on Human Services & Housing, then to the Committee on Judiciary
2293, SD1, HD1	Jointly to the Committee on Human Services & Housing and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Finance
2294, SD2, HD1	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Human Services & Housing, then to the Committee on Finance
2314, SD1, HD2	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary, then to the Committee on Health, then to the Committee on Finance
2341, SD1, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary, then to the Committee on Finance
2342, SD2, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Legislative Management, then to the Committee on Finance
2345, SD1, HD1	Committee on Public Safety & Military Affairs, then to the Committee on Human Services & Housing, then to the Committee on Judiciary
2363, SD2, HD1	Committee on Judiciary, then to the Committee on Health
2365, SD1, HD1	Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Energy & Environmental Protection, then to the Committee on Tourism & Culture, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2373, SD1, HD2	Committee on Health, then to the Committee on Public Safety & Military Affairs, then to the Committee on Consumer Protection & Commerce, then to the Committee on Judiciary

2454, SD1, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Judiciary
2459, SD2, HD1	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2493, HD1	Committee on Labor & Public Employment, then to the Committee on Education, then to the Committee on Finance
2546, SD2, HD1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Judiciary, then to the Committee on Finance
2644, SD1, HD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Tourism & Culture, then to the Committee on Finance
2808, SD2, HD1	Jointly to the Committee on Energy & Environmental Protection and the Committee on Judiciary, then to the Committee on Transportation
2826, SD2, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
2833, SD1, HD1	Committee on Higher Education, then to the Committee on Energy & Environmental Protection, then to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance
2838, SD2, HD1	Committee on Human Services & Housing, then to the Committee on Finance
2840, SD2, HD1	Committee on Economic Development & Business Concerns, then to the Committee on Human Services & Housing, then to the Committee on Finance
2864, SD2, HD2	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management, then to the Committee on Finance
2878, SD2, HD2	Committee on Education, then to the Committee on Human Services & Housing, then to the Committee on Finance
2879, SD2, HD1	Committee on Education, then to the Committee on Judiciary, then to the Committee on Finance
2882, SD1, HD1	Jointly to the Committee on Consumer Protection & Commerce and the Committee on Judiciary, then to the Committee on Health
2895, SD1, HD1	Committee on Judiciary, then to the Committee on Agriculture
2915, SD2, HD1	Committee on Agriculture, then to the Committee on Finance
3019, SD1, HD2	Committee on Judiciary, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
3048, SD1, HD1	Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Agriculture, then to the Committee on Finance
3069, SD2, HD1	Committee on Judiciary, then to the Committee on Health, then to the Committee on Finance
3080, SD1, HD1	Committee on Health, then to the Committee on Judiciary, then to the Committee on Finance
3103, SD1, HD2	Jointly to the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection, then to the Committee on Judiciary, then to the Committee on Finance
3182, SD1, HD1	Committee on Judiciary, then to the Committee on Finance
3255, SD2, HD2	Jointly to the Committee on Health and the Committee on Human Services & Housing, then to the Committee on Higher Education, then to the Committee on Finance

The following resolution was re-referred to committee by the Speaker:

H.R. No.	**Re-referred to:**
86	Committee on International Affairs

SUSPENSION OF RULES

Representative B. Oshiro moved that the rules of the House be suspended for the purpose of considering certain bills on Third Reading and Final Reading on the basis of a modified consent calendar, seconded by Representative Thielen and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1903-08) recommending that H.B. No. 2250, as amended in HD 1, pass Third Reading.

Representative Caldwell moved that the report of the Committee be adopted, and that H.B. No. 2250, HD 1, pass Third Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. I too stand with reservations, because essentially we debated this on Second Reading. I think the good Representative from Maui basically said it all. He said one side. I said the other. There's only one thing missing and that was that this passed in the 90s and no one acted on it the Congress. So we've been there and done that. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"I would just like register a yes vote with reservations. I'm not quite sure this is the right direction to go. Thank you."

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2250, HD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Third Reading by a vote of 43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

At 12:18 o'clock p.m., the Chair noted that H.B. No. 2250, HD 1, passed Third Reading.

STANDING COMMITTEE REPORTS

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1904-08), recommending that S.C.R. No. 33, SD 1, 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 S.C.R. No. 33, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO CONTINUE THEIR WORK ON THE LONG TERM LIVING INITIATIVE," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1905-08), recommending that S.C.R. No. 61, 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 S.C.R. No. 61, entitled: "SENATE CONCURRENT RESOLUTION URGING THE HAWAII PUBLIC HOUSING AUTHORITY TO ISSUE A REQUEST FOR PROPOSALS TO FORM A PUBLIC/PRIVATE PARTNERSHIP TO RENOVATE THE STATE'S PUBLIC HOUSING INVENTORY," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

Representative Shimabukuro, for the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1906-08), recommending that S.C.R. No. 106, SD 1, be referred to the Committee on Judiciary.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 106, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND THE DEPARTMENT OF HUMAN SERVICES CONVENE A WORKING STUDY GROUP TO CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH," was referred to the Committee on Judiciary with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1907-08), recommending that S.C.R. No. 158, SD 1, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 158, SD 1, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in support of the measure, stating:

"Mr. Speaker, I'm standing in support of Stand. Com. No. 1907, SCR 158, Requesting the Department of Education to Pursue a Financing Agreement for the Construction of a New Kihei High School on Maui and to Consider a Design-Build Approach for the School.

"This is going to be really important, and a really important part of solving the problem. We've been trying to get a school for so long. And we're still trying to make sure the funding is in there, but this aspect of it is something that is quite exciting and I'm hoping that we can use the same model across the State in getting schools built quicker, cheaper and better with the cooperation of the developers that are actually producing schools anyway. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 158, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PURSUE A FINANCING AGREEMENT FOR THE CONSTRUCTION OF THE NEW KIHEI HIGH SCHOOL ON MAUI AND TO CONSIDER A DESIGN-BUILD APPROACH FOR THE SCHOOL," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1908-08), recommending that S.C.R. No. 220, 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 S.C.R. No. 220, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONTINUING PROJECT GRADUATION TRAINING THROUGH DRIVER EDUCATION UNDERWRITERS' FEES AS PART OF TRAFFIC SAFETY EDUCATION," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai were excused.)

H.B. No. 2045, S.D. 1
H.B. No. 2163, H.D. 2, S.D. 1
H.B. No. 2263, S.D. 1
H.B. No. 2301, H.D. 1, S.D. 1
H.B. No. 2436, H.D. 2, S.D. 2
H.B. No. 2517, H.D. 1, S.D. 1

At 12:21 o'clock p.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:21 o'clock p.m.

At 12:21 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:22 o'clock p.m.

At 12:22 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:23 o'clock p.m.

H.B. No. 2045, S.D. 1:

Representative Caldwell moved that H.B. No. 2045, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support for House Bill 2045, SD 1. This measure will empower our youth and allow them to discuss real-life, world-connected policy issues. The Center will be housed at the University of Hawaii at the East-West Center and it's an excellent bill. I'd like to also have permission to insert comments to the Journal. Thank you, Mr. Speaker."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, the creation of the Global Youth Center is a unique opportunity for youth around the world to actively participate and engage in policy issues that concern the world.

"The Global Youth Center will be a catalyst for the youth leaders to meet and work together to create peaceful and sustainable communities worldwide. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support on H.B. No. 2045, the Global Youth Center."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2045 and H.B. No. 2045, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ESTABLISHING A GLOBAL YOUTH CENTER," passed Final Reading by a vote of 43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

H.B. No. 2163, H.D. 2, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2163, H.D. 2 and H.B. No. 2163, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS," passed Final Reading by a vote of 43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

H.B. No. 2263, S.D. 1:

Representative Caldwell moved that H.B. No. 2263, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising to speak against House Bill 2263, Relating to Harbors. The Department of Transportation strongly opposes this bill and I'm going to quote from an email from the DOT:

It is imperative to the public's safety that the Department of Transportation be able to ascertain the weight of all cargo-transporting vehicles that use our State highways and bridges. All of our State bridges have weight limitations. If we are not able to verify the weight of these cargo-transporting vehicles, we will not be able to ensure that these vehicles are safely within the bridges' weight limitation.

In addition, over-weight transport vehicles increase the deterioration of our highways and bridges at a faster rate than non-over-weight vehicles. Consequently, over-weight transport vehicles accelerate the need for repair and maintenance of our highways and bridges. Scaling the vehicles ensures that those over-weight pay for their fair share of the repairs and maintenance costs.

Finally the Department of Transportation is also opposed to Part I of the bill, which deals with harbor noise. Given the ambitious Harbors Modernization Program that our Harbors Division is undertaking, we cannot give a high priority to the promulgation and enforcement of administrative rules to regulate harbor noise.

"Mr. Speaker I would just note that an ambitious Harbors Modernization Program will create noise and that is just part and parcel of what we need to do to modernize our harbors. I think that this bill does not make sense. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"On H.B. 2263 in support. Just on the first part of the bill. Currently, the situation is that no one has any regulatory power when noise emanates from the Harbor. I represent an area that borders the main Honolulu Harbor and we understand, those of us who live in Chinatown, understand that it’s a working harbor and there's always going to be noise. But not all noise emanating from the Harbor is necessary and that's why this bill is necessary; so that someone can regulate it if need be.

"But having said that, it is a working harbor, it's an industrial harbor, it's the lifeline to our economy and all of us residents down there realize that. Mahalo."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2263 and H.B. No. 2263, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Final Reading by a vote of 40 ayes to 3 noes, with Representatives Finnegan, Pine and Thielen voting no, and with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

H.B. No. 2301, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2301, H.D. 1 and H.B. No. 2301, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY," passed Final Reading by a vote of 43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

H.B. No. 2436, H.D. 2, S.D. 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2436, H.D. 2 and H.B. No. 2436, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS," passed Final Reading by a vote of

43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

H.B. No. 2517, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2517, H.D. 1 and H.B. No. 2517, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Final Reading by a vote of 43 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai being excused.

At 12:27 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2045, S.D. 1
H.B. No. 2163, H.D. 2, S.D. 1
H.B. No. 2263, S.D. 1
H.B. No. 2301, H.D. 1, S.D. 1
H.B. No. 2436, H.D. 2, S.D. 2
H.B. No. 2517, H.D. 1, S.D. 1

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai were excused.)

H.B. No. 7, HD 1, SD 1
H.B. No. 2254, HD 2, SD 1
H.B. No. 2559, HD 2, SD 1
H.B. No. 2699, HD 1, SD 1

ADJOURNMENT

At 12:29 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Tuesday, April 15, 2008. (Representatives Brower, Cabanilla, Carroll, Manahan, McKelvey, Meyer, Nakasone and Wakai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 14, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bills:

94, HD 1, SD 2	Herkes/Waters/M. Oshiro, Co-Chrs.; Marumoto
118, SD 1	M. Oshiro, Chr.; Lee, Ward
362, HD 1, SD 1	Souki/Waters, Co-Chrs.; McKelvey, Pine
466, HD 1, SD 2	Green/B. Oshiro/Lee, Co-Chrs.; Belatti, Thielen
509, HD 2, SD 2	Souki/Herkes/M. Oshiro, Co-Chrs.; McKelvey, Nishimoto, Meyer
516, HD 1, SD 1	Waters, Chr.; B. Oshiro, Pine
523, HD 2, SD 1	Shimabukuro/B. Oshiro, Co-Chrs.; Mizuno, Rhoads, Ching
602, HD 2, SD 2	Takumi/M. Oshiro, Co-Chrs.; Berg, Ward
660, SD 1	Waters, Chr.; B. Oshiro, Marumoto
661, HD 1, SD 3	B. Oshiro/M. Oshiro, Co-Chrs.; Lee, Luke, Marumoto
1037, HD 1, SD 1	Ito/Morita, Co-Chrs.; Karamatsu, Magaoay, Thielen
1365, SD 2	Sonson/M. Oshiro, Co-Chrs.; Har, Meyer
1402, HD 2, SD 2	Evans/Sonson/Har, Co-Chrs.; Pine
1412, HD 1, SD 1	M. Oshiro, Chr.; Karamatsu, Magaoay, Ward
1755, HD 1, SD 1	Yamashita/M. Oshiro, Co-Chrs.; Wakai, Marumoto
1832, HD 1, SD 1	Ito/B. Oshiro, Co-Chrs.; Luke, Thielen
1978, HD 1, SD 1	Waters, Chr.; McKelvey, Rhoads, Pine
2003, SD 1	Morita/M. Oshiro, Co-Chrs.; Carroll, Sagum, Pine
2005, HD 1, SD 3	Morita/M. Oshiro, Co-Chrs.; Carroll, Sagum, Pine
2009, SD 1	Evans/Har, Co-Chrs.; Finnegan
2040, SD 2	Morita/Ito/Yamashita/Shimabukuro/M. Oshiro, Co-Chrs.; Ward
2047, HD 2, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Belatti, Mizuno, Ward
2062, HD 1, SD 2	Shimabukuro/Green/M. Oshiro, Co-Chrs.; Mizuno, Ward
2085, HD 1, SD 2	Tsuji/Yamashita/Hanohano, Co-Chrs.; Brower, Ward
2137, HD 2, SD 3	Green/Mizuno, Co-Chrs.; Belatti, Ward
2139, HD 2, SD 1	Green/B. Oshiro, Co-Chrs.; Mizuno, Marumoto
2164, HD 1, SD 1	Chang/Green/M. Oshiro, Co-Chrs.; Finnegan
2196, HD 2, SD 2	Green/Shimabukuro/Magaoay/Lee, Co-Chrs.; Ward
2204, HD 1, SD 1	Waters, Chr.; McKelvey, Thielen
2224, HD 1, SD 2	Green/Yamashita/Sonson/Herkes, Co-Chrs.; Thielen
2238, HD 1, SD 1	Shimabukuro/Rhoads, Co-Chrs.; Awana, Ward

2245, HD 1, SD 2	Chang/M. Oshiro, Co-Chrs.; Takai, Ching
2253, HD 2, SD 1	Yamashita/Herkes/Waters, Co-Chrs.; Marumoto
2255, HD 2, SD 2	Herkes/Sonson, Co-Chrs.; Takamine, Marumoto
2256, HD 2, SD 1	Herkes/Green/B. Oshiro/M. Oshiro, Co-Chrs.; Takamine, Marumoto
2261, HD 2, SD 1	Tsuji/Morita/Hanohano, Co-Chrs.; Brower, Meyer
2271, HD 1, SD 2	Green/Mizuno, Co-Chrs.; Ward
2272, HD 2, SD 2	Sonson/Har, Co-Chrs.; Souki, Pine
2293, HD 1, SD 2	Tsuji/Ito/M. Oshiro, Co-Chrs.; Ching
2302, HD 2, SD 2	Ito/Herkes/Waters/Karamatsu, Co-Chrs.; Thielen
2306, HD 2, SD 2	Evans/Green/Har, Co-Chrs.; Takai, Finnegan
2326, HD 2, SD 1	Herkes/Waters/Tokioka, Co-Chrs.; Marumoto
2346, HD 2, SD 2	Shimabukuro/Waters, Co-Chrs.; Rhoads, Thielen
2366, SD 1	Green/Mizuno, Co-Chrs.; Belatti, Ward
2372, HD 2, SD 2	Yamane/Herkes/Tokioka, Co-Chrs.; Manahan, Marumoto
2376, HD 1, SD 1	Evans/Har, Co-Chrs.; Yamane, Finnegan
2386, SD 2	Sonson/M. Oshiro, Co-Chrs.; McKelvey
2387, HD 1, SD 2	Sonson/M. Oshiro, Co-Chrs.; McKelvey, Pine
2388, HD 1, SD 2	Sonson/M. Oshiro, Co-Chrs.; McKelvey, Ward
2395, HD 1, SD 2	Yamashita/Takumi/Chang/Karamatsu, Co-Chrs.; Wakai, Marumoto
2408, HD 1, SD 2	Herkes/Waters/Tokioka, Co-Chrs.; Marumoto
2415, HD 1, SD 2	Yamashita/Karamatsu, Co-Chrs.; Marumoto
2438, HD 2, SD 2	Green/Herkes/Waters/Mizuno, Co-Chrs.; Yamane, Ward
2450, HD 1, SD 2	Tsuji/Ito/Waters, Co-Chrs.; Karamatsu, Ching
2456, HD 2, SD 1	B. Oshiro/Lee, Co-Chrs.; Pine
2460, SD 1	Herkes, Chr.; McKelvey, Marumoto
2473, HD 2, SD 2	Yamashita/M. Oshiro, Co-Chrs.; Wakai, Ward
2486, SD 1	Ito, Chr.; Karamatsu, Ching
2492, HD 1, SD 1	Shimabukuro/Herkes, Co-Chrs.; Cabanilla, McKelvey, Ching
2505, HD 2, SD 2	Morita/M. Oshiro, Co-Chrs.; Carroll, Thielen
2506, HD 2, SD 2	Morita/Magaoay/M. Oshiro, Co-Chrs.; Thielen
2507, HD 1, SD 2	Morita/M. Oshiro, Co-Chrs.; Carroll, Thielen
2511, HD 1, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Awana, Ward
2519, HD 2, SD 2	Green/Chang/M. Oshiro, Co-Chrs.; Ward
2520, HD 3, SD 2	Green/Shimabukuro/Sonson/Herkes/M. Oshiro, Co-Chrs.; Lee, Ward
2521, HD 2, SD 3	Chang/Yamane/Yamashita/M. Oshiro, Co-Chrs.; Finnegan
2524, SD 1	Souki/Ito, Co-Chrs.; Har, Nishimoto, Pine
2526, SD 2	Ito/Morita/Yamashita/Shimabukuro/M. Oshiro, Co-Chrs.; Har, Thielen
2527, HD 1, SD 1	Ito/Morita/Yamashita/Shimabukuro/Har, Co-Chrs.; Thielen
2531, HD 1, SD 2	Souki/Carroll, Co-Chrs.; McKelvey, Pine
2540, HD 1, SD 1	Ito/Green/Karamatsu, Co-Chrs.; Pine
2547, SD 1	Takumi/Carroll, Co-Chrs.; Meyer
2550, HD 2, SD 2	Morita/Herkes, Co-Chrs.; Thielen
2557, HD 1, SD 1	B. Oshiro, Chr.; Luke, Marumoto
2587, HD 1, SD 1	Yamane/Yamashita/Takumi/Chang/M. Oshiro, Co-Chrs.; Finnegan
2589, HD 2, SD 2	Herkes/Waters, Co-Chrs.; Yamane, Marumoto
2591, HD 1, SD 1	Herkes, Chr.; McKelvey, Marumoto
2605, HD 2, SD 1	Evans/Souki/Har, Co-Chrs.; Takai, Finnegan
2614, SD 1	Takumi/Har, Co-Chrs.; Finnegan
2661, HD 2, SD 2	Morita/Carroll, Co-Chrs.; Pine
2662, HD 2, SD 2	Shimabukuro/Ito/Rhoads, Co-Chrs.; Ward
2672, HD 2, SD 1	Ito/Sonson/M. Oshiro, Co-Chrs.; Karamatsu, Pine
2685, HD 1, SD 1	Evans/Har, Co-Chrs.; Manahan, Pine
2687, HD 1, SD 2	Ito/Karamatsu, Co-Chrs.; Sagum, Meyer
2697, HD 1, SD 1	Waters, Chr.; McKelvey, Thielen
2698, HD 3, SD 1	Shimabukuro/Waters/Rhoads, Co-Chrs.; Pine
2704, HD 2, SD 1	Ito/Waters/Karamatsu, Co-Chrs.; Meyer
2710, HD 2, SD 2	Sonson/Tokioka, Co-Chrs.; Takamine, Pine
2727, HD 2, SD 1	Green/Herkes/Mizuno, Co-Chrs.; Ward
2729, HD 1, SD 1	Waters, Chr.; B. Oshiro, Thielen
2730, HD 1, SD 1	B. Oshiro, Chr.; Yamane, Thielen
2739, HD 1, SD 2	Yamashita/Tsuji/M. Oshiro, Co-Chrs.; Meyer
2761, HD 1, SD 1	Shimabukuro/Green/Lee, Co-Chrs.; Rhoads, Ward
2763, HD 1, SD 1	Evans/Rhoads/Lee, Co-Chrs.; Finnegan

2770, HD 1, SD 2	Rhoads/Hanohano, Co-Chrs.; Awana, Ward
2772, HD 3, SD 1	Shimabukuro/B. Oshiro/Lee, Co-Chrs.; Belatti, Pine
2781, HD 2, SD 2	Yamashita/Waters/Tokioka, Co-Chrs.; Wakai, Ching
2810, HD 1, SD 1	Tsuji/Ito/Herkes, Co-Chrs.; Marumoto
2811, SD 2	Morita/Chang/Herkes/M. Oshiro, Co-Chrs.; Meyer
2843, HD 2, SD 2	Tsuji/Souki/Morita/M. Oshiro, Co-Chrs.; Pine
2847, SD 1	Souki/Waters, Co-Chrs.; Nishimoto, Meyer
2860, HD 2, SD 3	Yamashita/Souki/M. Oshiro, Co-Chrs.; Meyer
2863, HD 2, SD 2	Morita/Ito/Herkes/M. Oshiro, Co-Chrs.; Meyer
2872, SD 2	Ito/Karamatsu, Co-Chrs.; Sagum, Meyer
2881, HD 2, SD 2	Green/Rhoads/Chang/Lee, Co-Chrs.; Ward
2887, HD 2, SD 1	Ito/Mizuno/Herkes, Co-Chrs.; Awana, Thielen
2894, SD 1	Herkes, Chr.; Cabanilla, McKelvey, Marumoto
2917, HD 2, SD 1	Ito/Souki/Karamatsu, Co-Chrs.; Brower, Meyer
2920, SD 1	Herkes/Waters, Co-Chrs.; Tokioka, Marumoto
2922, HD 1, SD 2	Souki/Morita/M. Oshiro, Co-Chrs.; Tokioka, Thielen
2929, HD 1, SD 1	Sonson/Herkes/M. Oshiro, Co-Chrs.; Pine
2953, SD 1	Souki/Waters, Co-Chrs.; Nishimoto, Pine
2954, SD 1	Souki/Herkes, Co-Chrs.; Nishimoto, Meyer
2955, HD 1, SD 1	Ito/Karamatsu, Co-Chrs.; Carroll, Thielen
2961, HD 2, SD 2	Yamashita/M. Oshiro, Co-Chrs.; Karamatsu, Wakai, Marumoto
2965, HD 2, SD 2	Tsuji/Ito/Herkes/Hanohano, Co-Chrs.; Ching
2971, HD 1, SD 2	Takumi/Lee, Co-Chrs.; Berg, Finnegan
2972, HD 1, SD 2	Takumi/Lee, Co-Chrs.; Berg, Finnegan
2977, HD 1, SD 1	Tsuji/Hanohano, Co-Chrs.; Brower, Ching
2978, HD 1, SD 2	Chang/M. Oshiro, Co-Chrs.; Bertram, Finnegan
2998, HD 1, SD 2	B. Oshiro/Tokioka, Co-Chrs.; Marumoto
3002, HD 1, SD 1	Waters, Chr.; Luke, B. Oshiro, Rhoads, Thielen
3011, HD 1, SD 1	Souki/Waters, Co-Chrs.; Nishimoto, Pine
3016, HD 3, SD 2	Ito/Evans/Waters/Karamatsu, Co-Chrs.; Thielen
3040, HD 1, SD 1	B. Oshiro, Chr.; Luke, Marumoto
3059, HD 1, SD 3	Shimabukuro/Rhoads, Co-Chrs.; Belatti, Ward
3085, HD 2, SD 1	Yamashita/Herkes/Waters/Sagum, Co-Chrs.; Marumoto
3109, SD 1	Green/Herkes, Co-Chrs.; Mizuno, Ward
3120, HD 2, SD 1	Tsuji/Yamashita/Hanohano, Co-Chrs.; Ching
3126, SD 2	Ito/Tsuji/Karamatsu, Co-Chrs.; Meyer
3140, SD 2	Shimabukuro/Rhoads, Co-Chrs.; Ward
3150, HD 2, SD 1	Green/Morita/Mizuno, Co-Chrs.; Ward
3151, HD 2, SD 1	Morita/Carroll, Co-Chrs.; Sagum, Thielen
3173, HD 1, SD 1	Ito/Karamatsu, Co-Chrs.; Magaoay, Meyer
3174, HD 1, SD 1	Waters/Ito/Karamatsu, Co-Chrs.; Thielen
3175, HD 1, SD 1	Ito/Karamatsu, Co-Chrs.; Sagum, Thielen
3176, HD 1, SD 2	Ito/Waters/Karamatsu, Co-Chrs.; Thielen
3177, HD 1, SD 2	Ito/Waters/Karamatsu, Co-Chrs.; Thielen
3178, SD 2	Waters/Ito/Karamatsu, Co-Chrs.; Thielen
3179, SD 1	Ito/Morita/Tsuji/Karamatsu, Co-Chrs.; Thielen
3191, HD 1, SD 2	M. Oshiro, Chr.; Lee, Meyer
3196, HD 1, SD 2	Souki/Yamane/Yamashita/M. Oshiro, Co-Chrs.; Pine
3249, HD 1, SD 1	Souki/Waters, Co-Chrs.; Nishimoto, Pine
3331, HD 2, SD 2	Herkes/B. Oshiro, Co-Chrs.; McKelvey, Marumoto
3348, HD 2, SD 2	Yamane/Ito/Hanohano, Co-Chrs.; Ching
3352, HD 2, SD 2	Green/Rhoads/Magaoay/Mizuno, Co-Chrs.; Finnegan
3367, HD 2, SD 2	Evans/Herkes/Har, Co-Chrs.; Finnegan
3377, SD 2	Souki/Waters/Har, Co-Chrs.; Meyer
3383, SD 1	Waters, Chr.; B. Oshiro, Pine
3386, HD 1, SD 2	Waters/M. Oshiro, Co-Chrs.; B. Oshiro, Finnegan
3407, HD 1, SD 1	Morita/Herkes/B. Oshiro, Co-Chrs.; Thielen
3422, HD 2, SD 1	Waters/Rhoads, Co-Chrs.; Awana, Pine

House Communication dated April 14, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

6, HD 2	Ito/Waters, Co-Chrs.; Thielen
409, SD 2, HD 1	Green/Herkes/M. Oshiro, Co-Chrs.; Ward
546, SD 2, HD 1	Ito/Tsuji, Co-Chrs.; Brower, Karamatsu, Meyer

644, SD 3, HD 3	Shimabukuro/Morita/Yamashita/M. Oshiro, Co-Chrs.; Thielen
651, SD 2, HD 2	Morita/M. Oshiro, Co-Chrs.; Carroll, Sagum, Thielen
711, HD 2	Yamashita/B. Oshiro/M. Oshiro, Co-Chrs.; Karamatsu, Wakai, Marumoto
945, HD 1	Waters, Chr.; Luke, McKelvey, B. Oshiro
988, SD 2, HD 3	Morita/Herkes/Carroll, Co-Chrs.; Sagum, Thielen
1035, SD 1, HD 1	Yamane/Ito, Co-Chrs.; Ching
1311, HD 1	M. Oshiro, Chr.; Lee, Magaoay, Nakasone
1337, HD 1	Shimabukuro/B. Oshiro, Co-Chrs.; Belatti, Ward
1487, SD 2, HD 2	Green/B. Oshiro, Co-Chrs.; Pine
1491, SD 1, HD 2	Evans/B. Oshiro/Har, Co-Chrs.; Finnegan
1526, SD 2, HD 3	Waters/Sonson/M. Oshiro, Co-Chrs.; Meyer
1617, SD 1, HD 1	Waters, Chr.; Luke, B. Oshiro, Pine
1720, SD 1, HD 2	Morita/Carroll, Co-Chrs.; Awana, Thielen
1780, SD 2, HD 2	Sonson/Shimabukuro/M. Oshiro, Co-Chrs.; Ward
1793, SD 1, HD 1	Yamashita/Morita/Lee, Co-Chrs.; Wakai, Ching
1802, HD 1	Green/B. Oshiro, Co-Chrs.; Ward
1891, SD 1, HD 1	Ito/Waters, Co-Chrs.; Karamatsu, Thielen
1934, SD 1, HD 1	Yamashita/Yamane/Herkes/M. Oshiro, Co-Chrs.; Nakasone, Pine
1961, SD 1, HD 1	Waters/Herkes, Co-Chrs.; McKelvey, Pine
2004, SD 2, HD 2	Takumi/Shimabukuro/B. Oshiro/Rhoads, Co-Chrs.; Finnegan
2034, HD 2	Morita/Ito/Carroll, Co-Chrs.; Thielen
2040, SD 1, HD 2	Green/Chang/B. Oshiro, Co-Chrs.; Ward
2041, HD 1	Green/Shimabukuro/M. Oshiro, Co-Chrs.; Ward
2054, SD 2, HD 2	Shimabukuro/B. Oshiro, Co-Chrs.; Belatti, Ward
2055, SD 2, HD 2	Shimabukuro/B. Oshiro/Rhoads, Co-Chrs.; Belatti, Ward
2080, SD 2, HD 2	Takumi/Sonson/B. Oshiro, Co-Chrs.; Finnegan
2082, SD 2, HD 1	Evans/Har, Co-Chrs.; Finnegan
2083, SD 2, HD 1	Evans/Waters/Har, Co-Chrs.; Finnegan
2088, SD 1, HD 1	Yamashita/Har, Co-Chrs.; Wakai, Ward
2094, SD 2, HD 2	Souki/Waters, Co-Chrs.; Nishimoto, Pine
2146, SD 2, HD 1	Chang/Green/Herkes/Lee, Co-Chrs.; Bertram, Ching
2150, SD 2, HD 2	Shimabukuro/B. Oshiro/Rhoads, Co-Chrs.; Ward
2151, SD 2, HD 1	Green/Shimabukuro/Lee, Co-Chrs.; Cabanilla, Ward
2157, SD 1, HD 2	Green/B. Oshiro/M. Oshiro, Co-Chrs.; Mizuno, Ward
2159, HD 1	Green/Herkes, Co-Chrs.; Mizuno, Marumoto
2163, SD 1, HD 1	Takumi/Sonson/Magaoay, Co-Chrs.; Berg, Finnegan
2169, SD 1, HD 1	Yamashita/Herkes, Co-Chrs.; Wakai, Marumoto
2170, SD 1, HD 1	Ito/Waters, Co-Chrs.; Tokioka, Thielen
2191, SD 2, HD 1	Herkes/Awana, Co-Chrs.; McKelvey, Marumoto
2196, SD 2, HD 2	Ito/Yamashita/Waters/Tokioka, Co-Chrs.; Thielen
2198, SD 2, HD 2	Ito/Tsuji/Karamatsu, Co-Chrs.; Brower, Meyer
2202, HD 1	Waters/M. Oshiro, Co-Chrs.; Luke, Thielen
2212, SD 1, HD 2	Shimabukuro/Waters, Co-Chrs.; Lee, Ward
2218, SD 1, HD 2	Shimabukuro/Waters/Rhoads, Co-Chrs.; Ward
2245, SD 1, HD 2	Souki/Shimabukuro/Waters, Co-Chrs.; Lee, Ward
2262, SD 1, HD 2	Sonson/M. Oshiro, Co-Chrs.; Finnegan
2263, SD 2, HD 1	Chang/Waters, Co-Chrs.; Bertram, Finnegan
2273, SD 2, HD 3	Yamane/Yamashita/Sonson/M. Oshiro, Co-Chrs.; Karamatsu, Ching
2301, SD 1, HD 1	Waters, Chr.; McKelvey, Pine
2313, SD 1, HD 2	Herkes/B. Oshiro/Tokioka, Co-Chrs.; Marumoto
2314, SD 1, HD 2	Herkes/B. Oshiro/Green/Tokioka, Co-Chrs.; Marumoto
2315, SD 2, HD 1	Herkes/Tokioka, Co-Chrs.; McKelvey, Marumoto
2334, SD 2, HD 1	Evans/Sonson/Har, Co-Chrs.; Finnegan
2341, SD 1, HD 1	Evans/B. Oshiro/Har, Co-Chrs.; Finnegan
2342, SD 2, HD 1	Evans/Magaoay/Har, Co-Chrs.; Finnegan
2345, SD 1, HD 1	Evans/Shimabukuro/B. Oshiro, Co-Chrs.; Finnegan
2363, SD 2, HD 1	B. Oshiro/Green, Co-Chrs.; Luke, Pine
2365, SD 1, HD 1	Souki/Yamashita/Morita/Yamane/Herkes/M. Oshiro, Co-Chrs.
2373, SD 1, HD 2	Green/Evans/Herkes/B. Oshiro, Co-Chrs.; Har, Ward

2394, HD 2	Yamashita/Karamatsu, Co-Chrs.; Wakai, Marumoto
2396, SD 1, HD 3	Green/B. Oshiro/M. Oshiro, Co-Chrs.; Mizuno, Ward
2400, SD 1, HD 1	Waters, Chr.; B. Oshiro, Pine
2407, SD 1, HD 1	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
2421, SD 2, HD 1	Ito/M. Oshiro, Co-Chrs.; Karamatsu, Magaoay, Thielen
2423, SD 2, HD 2	Ito/Yamane/M. Oshiro, Co-Chrs.; Karamatsu, Magaoay, Thielen
2433, SD 2, HD 1	Yamane/Sagum, Co-Chrs.; Hanohano, Manahan, Ching
2434, HD 1	Yamane/Yamashita, Co-Chrs.; Manahan, Wakai
2436, SD 1, HD 1	Waters, Chr.; B. Oshiro, Marumoto
2441, HD 1	Souki/Ito, Co-Chrs.; Nakasone, Nishimoto, Meyer
2449, SD 2, HD 2	Takumi/Sonson, Co-Chrs.; Berg, Takamine, Finnegan
2454, SD 1, HD 1	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
2456, SD 2, HD 1	Waters, Chr.; B. Oshiro, Pine
2459, SD 2, HD 1	Green/Herkes/Sagum, Co-Chrs.; Tokioka, Ward
2464, HD 1	Ito/Yamane, Co-Chrs.; Ching
2480, SD 2, HD 2	Yamashita/Chang/Shimabukuro/Karamatsu, Co-Chrs.; Bertram, Wakai, Ward
2493, HD 1	Sonson/Takumi/M. Oshiro, Co-Chrs.; Takamine, Meyer
2499, HD 1	Yamane/Ito/Waters, Co-Chrs.; Manahan, Ching
2528, SD 2, HD 1	Ito/Sagum, Co-Chrs.; Tokioka, Thielen
2542, SD 2, HD 2	Green/Shimabukuro/Mizuno, Co-Chrs.; Rhoads, Ward
2546, SD 2, HD 1	Evans/Waters/Har, Co-Chrs.; Finnegan
2579, SD 2, HD 1	B. Oshiro/M. Oshiro, Co-Chrs.; Luke, Finnegan
2583, SD 1, HD 1	Yamane/Hanohano, Co-Chrs.; Manahan, Rhoads, Ching
2584, SD 2, HD 1	Tsuji/Herkes, Co-Chrs.; Ching
2644, SD 1, HD 1	Ito/Yamane/Karamatsu, Co-Chrs.; Sagum, Ching
2646, SD 2, HD 2	Ito/Tsuji/Karamatsu, Co-Chrs.; Brower, Hanohano, Meyer
2652, SD 2, HD 2	Takumi/Sonson/M. Oshiro, Co-Chrs.; Finnegan
2660, SD 3, HD 2	Chang/Lee, Co-Chrs.; Bertram, Takamine, Finnegan
2663, SD 2, HD 2	Takumi/Sonson/Lee, Co-Chrs.; Berg, Takamine, Ching
2668, SD 2, HD 1	Chang/M. Oshiro, Co-Chrs.; Bertram, Takamine, Finnegan
2720, SD 2, HD 1	Evans/Har, Co-Chrs.; Yamane, Finnegan
2730, SD 2, HD 2	Shimabukuro/B. Oshiro, Co-Chrs.; Belatti, Ward
2748, SD 1, HD 1	Yamashita, Chr.; Wakai, Marumoto
2768, SD 2, HD 1	Green/M. Oshiro, Co-Chrs.; Bertram, Carroll, Nakasone, Ward
2779, HD 2	Sonson/Evans/M. Oshiro, Co-Chrs.; Takamine, Pine
2780, SD 2, HD 1	Sonson/Yamashita/Sagum, Co-Chrs.; Takamine, Pine
2783, SD 2, HD 1	Evans/Herkes/Har, Co-Chrs.; McKelvey, Finnegan
2784, SD 1, HD 1	B. Oshiro, Chr.; Luke, Thielen
2785, SD 1, HD 1	B. Oshiro/Lee, Co-Chrs.; Thielen
2803, SD 1, HD 1	Herkes/B. Oshiro/Karamatsu, Co-Chrs.; Marumoto
2808, SD 2, HD 1	Morita/B. Oshiro/Souki, Co-Chrs.; Thielen
2824, SD 2, HD 1	Yamashita/Magaoay/Tokioka, Co-Chrs.; Wakai, Finnegan
2825, SD 1, HD 2	Yamashita/B. Oshiro, Co-Chrs.; Wakai, Thielen
2826, SD 2, HD 1	Yamashita/Herkes/Tokioka, Co-Chrs.; Wakai, Marumoto
2827, SD 1, HD 1	Yamashita, Chr.; Wakai, Marumoto
2829, SD 2, HD 2	Yamashita/M. Oshiro, Co-Chrs.; Karamatsu, Wakai, Marumoto
2830, SD 2, HD 2	Green/Shimabukuro/Magaoay/Lee, Co-Chrs.; Finnegan
2831, SD 1, HD 1	Chang/Green/Shimabukuro/Lee, Co-Chrs.; Bertram, Finnegan
2833, SD 1, HD 1	Chang/Morita/Ito/Yamashita/Shimabukuro/M. Oshiro, Co-Chrs.; Ward
2838, SD 2, HD 1	Shimabukuro/Rhoads, Co-Chrs.; Pine
2840, SD 2, HD 1	Yamashita/Shimabukuro/Rhoads, Co-Chrs.; Wakai, Pine
2850, SD 2, HD 2	Tsuji/Morita/Hanohano, Co-Chrs.; Brower, Thielen
2857, SD 2, HD 1	Green/Shimabukuro/Mizuno, Co-Chrs.; Cabanilla, Ward

2864, SD 2, HD 2	Green/Herkes/Magaoay/M. Oshiro, Co-Chrs.; Ward
2867, SD 2, HD 2	Yamashita/B. Oshiro, Co-Chrs.; Wakai, Marumoto
2876, HD 2	Sonson/M. Oshiro, Co-Chrs.; Takamine, Pine
2878, SD 2, HD 2	Takumi/Shimabukuro/M. Oshiro, Co-Chrs.; Berg, Rhoads, Finnegan
2879, SD 2, HD 1	Takumi/B. Oshiro/Lee, Co-Chrs.; Berg, Pine
2882, SD 1, HD 1	Herkes/B. Oshiro/Green, Co-Chrs.; Marumoto
2886, SD 1, HD 2	Shimabukuro/B. Oshiro, Co-Chrs.; Belatti, Thielen
2891, SD 1, HD 1	Yamashita/M. Oshiro, Co-Chrs.; Wakai, Ching
2895, SD 1, HD 1	B. Oshiro/Tsuji, Co-Chrs.; Luke, Thielen
2896, SD 2, HD 2	Sonson/Herkes/Waters, Co-Chrs.; Takamine, Marumoto
2915, SD 2, HD 1	Tsuji/M. Oshiro, Co-Chrs.; Hanohano, Meyer
2933, SD 2, HD 2	Morita/Rhoads/Carroll, Co-Chrs.; Thielen
2961, SD 2, HD 2	Waters/M. Oshiro, Co-Chrs.; Thielen
2977, SD 1, HD 2	Shimabukuro/B. Oshiro/Rhoads, Co-Chrs.; Belatti, Ward
2982, HD 2	Ito/Shimabukuro/Karamatsu, Co-Chrs.; Brower, Rhoads, Ward
2986, SD 2, HD 1	Morita/M. Oshiro, Co-Chrs.; Carroll, Thielen
2997, SD 1, HD 1	Ito/Waters, Co-Chrs.; Karamatsu, Thielen
3001, SD 2, HD 2	Morita/Herkes/Carroll, Co-Chrs.; McKelvey, Thielen
3004, SD 2, HD 2	Sonson/M. Oshiro, Co-Chrs.; Meyer
3005, SD 2, HD 2	Sonson/M. Oshiro, Co-Chrs.; Meyer
3008, SD 2, HD 1	Herkes/B. Oshiro/Tokioka, Co-Chrs.; Marumoto
3009, SD 2, HD 2	Herkes/B. Oshiro/M. Oshiro, Co-Chrs.; Manahan, Pine
3015, SD 2, HD 2	Green/Herkes/B. Oshiro, Co-Chrs.; Mizuno, Ward
3019, SD 1, HD 2	B. Oshiro/Herkes/Tokioka, Co-Chrs.; McKelvey, Thielen
3023, SD 2, HD 2	Herkes/B. Oshiro/Tokioka, Co-Chrs.; McKelvey, Marumoto
3030, SD 2, HD 2	Yamane/Herkes/Tokioka, Co-Chrs.; Ching
3048, SD 1, HD 1	Ito/Tsuji/Karamatsu, Co-Chrs.; Har, Thielen
3050, SD 1, HD 2	Shimabukuro/B. Oshiro, Co-Chrs.; Cabanilla, Ward
3051, SD 2, HD 1	Shimabukuro/B. Oshiro/Rhoads, Co-Chrs.; Awana, Ward
3061, HD 1	Shimabukuro/Sonson/Rhoads, Co-Chrs.; Awana, Ward
3069, SD 2, HD 1	B. Oshiro/Green/Mizuno, Co-Chrs.; Awana, Thielen
3076, HD 1	Green/Mizuno, Co-Chrs.; Awana, Ward
3080, SD 1, HD 1	Green/B. Oshiro/Mizuno, Co-Chrs.; Ward
3087, SD 1, HD 1	Sonson/M. Oshiro, Co-Chrs.; Sagum, Takamine, Meyer
3092, SD 1, HD 1	Herkes/Waters, Co-Chrs.; McKelvey, Marumoto
3102, SD 2, HD 1	Ito/Karamatsu, Co-Chrs.; Sagum, Thielen
3103, SD 1, HD 2	Ito/Morita/B. Oshiro/Karamatsu, Co-Chrs.; Pine
3137, SD 2, HD 1	Ito/Awana, Co-Chrs.; Karamatsu, Thielen
3138, SD 1, HD 1	Ito/Morita/Karamatsu, Co-Chrs.; Awana, Thielen
3165, SD 2, HD 2	Souki/Shimabukuro/Green/M. Oshiro, Co-Chrs.; Nishimoto, Pine
3166, HD 1	Ito/Yamashita, Co-Chrs.; Brower, Rhoads, Marumoto
3171, SD 2, HD 2	Herkes/B. Oshiro/M. Oshiro, Co-Chrs.; McKelvey, Marumoto
3182, SD 1, HD 1	Waters/Rhoads, Co-Chrs.; McKelvey, Pine
3190, HD 1	Morita/Carroll, Co-Chrs.; Karamatsu, Thielen
3202, HD 1	Waters/M. Oshiro, Co-Chrs.; B. Oshiro, Thielen
3203, SD 1, HD 1	B. Oshiro, Chr.; Luke, Marumoto
3206, SD 2, HD 1	Ito/Karamatsu, Co-Chrs.; Thielen
3215, SD 3, HD 2	Morita/Ito/Tsuji/M. Oshiro, Co-Chrs.; Carroll, Hanohano, Pine
3227, SD 2, HD 1	Souki/Ito/M. Oshiro, Co-Chrs.; Karamatsu, Nishimoto, Thielen
3228, HD 1	Green/Sonson/Carroll, Co-Chrs.; Meyer
3252, SD 2, HD 2	Takumi/Sonson/Lee, Co-Chrs.; Berg, Finnegan
3255, SD 2, HD 2	Green/Shimabukuro/Chang/Lee, Co-Chrs.; Cabanilla, Ward
3257, SD 3, HD 2	Green/Shimabukuro/M. Oshiro, Co-Chrs.; Mizuno, Rhoads, Finnegan
3258, SD 3, HD 1	Green/Shimabukuro/M. Oshiro, Co-Chrs.; Mizuno, Rhoads, Ward

House Communication dated April 14, 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 made the following changes to the conferees on the following measure:

H.B. No. 1292, HD 1, SD 2	Representative M. Oshiro replaced Representative Nakasone as Co-Chair

House Communication dated April 14, 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 made the following changes to the conferees on the following measures:

H.B. No. 3352, HD 2, SD 2	Representative Shimabukuro replaced Representative Rhoads as Co-Chair
S.B. No. 2464, HD 1	Representative Thielen replaced Representative Ching as conferee

House Communication dated April 14, 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 made the following changes to the conferees on the following measure:

S.B. No. 2365, SD 1, HD 1	Discharged Representatives Morita, Yamane and Herkes as Co-Chairs

House Communication dated April 14, 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 made the following changes to the conferees on the following measure:

S.B. No. 651, SD 2, HD 2	Added Representative Yamashita as Co-Chair

House Communication dated April 14, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 7, HD 1, SD 1
H.B. No. 2699, HD 1, SD 1

House Communication dated April 14, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 8, 2008 and gives notice of intent to agree for the following House Bills:

H.B. No. 2254, HD 2, SD 1
H.B. No. 2559, HD 2, SD 1

House Communication dated April 14, 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 this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 2045, S.D. 1
H.B. No. 2163, H.D. 2, S.D. 1
H.B. No. 2263, S.D. 1
H.B. No. 2301, H.D. 1, S.D. 1
H.B. No. 2436, H.D. 2, S.D. 2
H.B. No. 2517, H.D. 1, S.D. 1

OTHER COMMUNICATION

"April 14, 2008

MEMORANDUM

TO: Carol T. Taniguchi
Clerk of the Senate

Patricia Mau-Shimizu
Clerk of the House

FROM: Colleen Hanabusa
President of the Senate

Calvin K.Y. Say
Speaker of the House

RE: Senate Bill No. 69, SD2, HD2
Relating to Healthcare

Please be advised that we have authorized an exception to the 2008 Legislative Timetable agreed upon and dated December 27, 2007 with respect to the Second Bill Crossover deadline [April 10th], and the deadline for disagreement to amendments made by the non-originating Chamber [April 10th] as they relate to the above-referenced bill.

The provision of continued quality healthcare insurance coverage for children, whose parent(s) or guardian(s) have been adversely affected by the filing of bankruptcy by one of the State's local inter-island carriers is of importance to the people of the State of Hawaii.

You are hereby authorized to process, transmit and receive said measure, as appropriate, to meet Constitution bill passage requirements."

FIFTIETH DAY

Tuesday, April 15, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:16 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Ms. Malia Gray of Representative Lynn Finnegan's office, after which the Roll was called showing all members present with the exception of Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Forty-Ninth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 296 through 298) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 296, dated April 11, 2008, transmitting the 1st Annual Report Summary of the Small Business Utilization Council pursuant to Hawaii Administrative Rules, Chapter 2-124, Subchapter 9, "Small Business Preference Rule."

Gov. Msg. No. 297, informing the House that on April 14, 2008, the following bill was signed into law:

H.B. No. 2656, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN CONTRIBUTIONS." (ACT 011)

Gov. Msg. No. 298, informing the House that on April 14, 2008, the following bill was signed into law:

H.B. No. 2428, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAYS." (ACT 012)

The following messages from the Governor (Gov. Msg. Nos. 299 and 300) were announced by the Clerk and were received for possible consideration at a later date:

Gov. Msg. No. 299, transmitting H.B. No. 2391, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 14, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2391

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2391, entitled "A Bill for an Act Relating to Legal Service."

The reported purpose of this bill is to exempt pro bono legal services that do not create a conflict of interest with the duties of a deputy attorney general, from the prohibition on the private practice of law to which the Attorney General, First Deputy Attorney General, and all deputy attorneys general are subject, under section 28-10, Hawaii Revised Statutes.

I am unwilling to approve this measure. The bill appears to allow individual deputy attorneys general, rather than the Attorney General, to determine when a conflict would preclude a deputy from providing pro bono legal services. This decentralized conflict review process could result in the disqualification of all of the attorneys in the Department of Attorney General from representing the State, or a state official or agency in a particular matter.

It is my understanding that the Rules of Professional Conduct, to which all attorneys are subject, prohibits attorneys from representing a client if the interests of that client are directly adverse to the interests of another client. This rule also requires attorneys to secure knowledgeable and informed consent from a client when their responsibilities to a client, a third person, or the interests of the attorney would materially limit the attorney's ability to represent that client. I also understand that because the laws applicable to the Attorney General's practice authorize deputy attorneys general to perform or exercise any and all duties or powers conferred on the Attorney General by law, their duties are interchangeable and each review for conflict would extend to all of the matters that all of the deputy attorneys general are handling or have handled. Thus, all officials and agencies that reasonably could be adversely affected by the deputy's pro bono work would have to be informed about the pro bono matter and its potential to adversely affect the officials' or agencies' interests, and each official or agency would have to waive the conflict before the deputy could perform the pro bono services. Effective review will require time that would otherwise be devoted to protecting the State's legal interests. Ineffective review could place the State at a serious disadvantage.

It is not my intent to bar deputy attorneys general from providing pro bono services or fulfilling the responsibilities all attorneys are urged to fulfill by Rule 6.1, Pro Bono Service, of the Rules of Professional Conduct. Thus, I would support a bill that left it to the Attorney General's discretion to determine if a conflict precluded a deputy attorney general from providing pro bono legal services for a person of limited means, or an organization needing legal services. I cannot support this bill, however, because it interferes with the Attorney General's practice of law for the State, and has the potential for jeopardizing the interests of the State.

For the foregoing reasons, I am returning House Bill No. 2391 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 300, transmitting H.B. No. 2974, HD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 14, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2974

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2974, entitled "A Bill for an Act Relating to Labor."

This bill would change the union certification process by eliminating the secret ballot system, mandating timelines for collective bargaining, and imposing binding arbitration in labor negotiations.

Current law provides that when a question arises concerning the collective representation of employees, the Hawaii Labor Relations Board ("Board") conducts a secret ballot of employees to determine whether a majority of the employees desire collective representation. Under this bill, rather than holding an election, the Board would conduct an investigation to determine if a majority of the employees opted to be collectively represented. This new procedure is commonly referred to as a "card check." If the Board finds the majority of the employees signed "card check" authorizations, the Board must certify the individual or labor organization as the employees' representative.

This bill also directs that the employer and the newly certified employees' representative must meet and begin to bargain collectively within ten days. Conciliation under section 377-3, Hawaii Revised Statutes, may be requested if no agreement can be reached by the parties after the expiration of at least a ninety-day bargaining period. If, after the expiration of at least an initial thirty-day conciliation period, the conciliator is not able to bring the parties to agreement, the conciliator shall refer the dispute to binding arbitration. The agreement rendered by the arbitration panel established by the Board shall be binding for at least a two-year period unless amended by the parties.

This bill is objectionable because the "card check" procedure envisioned by this bill is a poor substitute for the secret ballot and is ripe for abuse. Article XIII, Sections 1 and 2 of the Hawaii State Constitution grant Hawaii's employees the constitutional right to "organize for the purpose of collective bargaining." Based on this right, employees have the freedom to elect to participate or not participate in collective bargaining through a confidential ballot process. Chapter 377, HRS, was enacted to protect the rights of both employees and employers.

Nothing in this bill specifies how or when signatures can be obtained and there is no provision for neutral supervision. As a result, there is no way to determine whether a worker's signature was given freely and without intimidation, pressure, or coercion from fellow employees, labor representatives, or the employer. Lacking confidentiality, employees may for any number of reasons feel compelled to sign a petition personally circulated by an agent of management or a labor organization to protect their jobs or relationships with their peers.

Further, the legislative language specifically precludes the use of a secret ballot to subsequently validate petition results by mandating that the Hawaii Labor Relations Board shall not direct an election if a petition signed by a simple majority is submitted.

The use of the secret ballot election process provides the employee anonymity and the opportunity to carefully consider and weigh individual choices after having the time to be fully informed by both the labor organization and employer of the various advantages and disadvantages of being collectively represented. Maintaining the secret ballot is the fair, appropriate, and democratic way to protect workers' privacy and to ensure workers have the ability to vote their conscience without fear of repercussion or retaliation. Secret ballots are the cornerstone of any truly democratic system. There is no compelling justification for replacing an unbiased, democratic process with one that has the potential to erode a worker's existing rights and protections under law.

This bill is also objectionable because it places arbitrary restrictions and deadlines on the negotiating parties without regard to the complexity of the agreement or the importance of free and non-coercive bargaining. Forcing parties to agree is antithetical to the system of labor relations that has served our country well for nearly 75 years. With the prospect of mandatory mediation, bargaining may become more unrealistic as labor representatives push for very high wages in negotiations and during mediation, while employers counter that union demands would put them out of business.

This bill takes away the rights of unions and employers to bargain in good faith and interjects an arbitration panel to write the contract terms of the two parties. This undermines the purpose of a collective bargaining process. As a result, this bill unnecessarily shifts power to arbitration panels by mandating that the panel's decision remain in effect for two years. It is important to note that under the National Labor Relations Act, interest arbitration may not be legally imposed upon a party absent its consent.

All Hawaii workers deserve the right to a secret ballot to ensure that their true voice is heard. It would be wrong to afford that right to some workers but not others. This bill discriminates against agricultural workers; employees of non-profit organizations; employees of smaller retailers; day care workers; employees who work in museums, restaurants, and bars; small law firms; legal aid programs; and numerous other employees in the State. It strips them of their right to a secret ballot, while allowing employees of larger firms, still covered by the National Labor Relations Act, the right to maintain a secret ballot.

For the foregoing reasons, I am returning House Bill No. 2974 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 660 through 668) were received and announced by the Clerk:

Sen. Com. No. 660, dated April 14, 2008, informing the House that the Senate has, on April 11, 2008, reconsidered its action taken on April 10, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 3185, SD 2, HD 1	"RELATING TO CANCER."

Sen. Com. No. 661, dated April 14, 2008, informing the House that the Senate has, on April 10, 2008, agreed to the amendments proposed by the House to the following Senate Bills and that said bills have this day passed Final Reading:

S.B. No. 2129, SD 2, HD 1	"RELATING TO ELDER AFFAIRS."
S.B. No. 2153, SD 1, HD 1	"RELATING TO INCOME TAX CREDIT."
S.B. No. 2569, HD 1	"RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE."
S.B. No. 2782, SD 2, HD 2	"RELATING TO METAL."
S.B. No. 2816, SD 1, HD 2	"RELATING TO INTRA-COUNTY FERRY SERVICE."
S.B. No. 2828, SD 2, HD 2	"RELATING TO DISASTER RELIEF."
S.B. No. 2900, SD 1, HD 1	"RELATING TO PUBLIC LANDS."
S.B. No. 2956, SD 1, HD 1	"RELATING TO MILK."

S.B. No. 3006, SD 1, HD 2	"RELATING TO BUSINESS REGISTRATION."
S.B. No. 3240, SD 1, HD 2	"RELATING TO MOTOR VEHICLE DRIVER'S LICENSE."

Sen. Com. No. 662, dated April 14, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

644, SD 3, HD 3	Menor, Chair; Fukunaga/Baker, Co-Chairs; Trimble
651, SD 2, HD 2	Menor, Chair; Ige/Hooser, Co-Chairs; Baker, Whalen
988, SD 2, HD 3	Menor, Chair; Kokubun/Baker, Co-Chairs; Trimble
1720, SD 1, HD 2	Menor, Chair; Tsutsui, Co-Chair; Whalen
1793, SD 1, HD 1	Menor, Chair; Fukunaga, Co-Chair; Slom
2034, HD 2	Menor, Chair; Tsutsui, Co-Chair; Trimble
2293, SD 1, HD 1	Kokubun, Chair; Inouye, Co-Chair; Taniguchi, Kim, Trimble
2646, SD 2, HD 2	Tokuda, Chair; Hee/Fukunaga/Baker, Co-Chairs; Kokubun, Slom
2808, SD 2, HD 1	Menor, Chair; English/Taniguchi, Co-Chairs; Kokubun, Trimble
2842, SD 2, HD 2	Menor, Chair; Baker, Co-Chair; Hemmings
2849, SD 1, HD 1	Tokuda, Chair; Menor, Co-Chair; Slom
2915, SD 2, HD 1	Tokuda, Chair; Tsutsui, Co-Chair; English, Slom
2933, SD 2, HD 2	Menor, Chair; Kokubun, Co-Chair; Taniguchi, Trimble
2986, SD 2, HD 1	Menor, Chair; Fukunaga/Baker, Co-Chairs; Trimble
3001, SD 2, HD 2	Menor, Chair; Kokubun/Baker, Co-Chairs; Trimble
3048, SD 1, HD 1	Tokuda, Chair; Tsutsui, Co-Chair; English, Slom
3174, SD 2, HD 2	Kokubun, Chair; Chun Oakland/Baker, Co-Chairs; Taniguchi, Trimble
3190, HD 1	Menor, Chair; Tsutsui, Co-Chair; Trimble
3215, SD 3, HD 2	Menor, Chair; Tokuda/Fukunaga/Tsutsui, Co-Chairs; Trimble

Sen. Com. No. 663, dated April 14, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 602, HD 2, SD 2	Senator Hemmings added as conferee.
H.B. No. 2908, SD 1	Senate Conferees discharged.
S.B. No. 2779, HD 2	Senate Conferees discharged.

Sen. Com. No. 664, dated April 14, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bills:

2365, SD 1, HD 1	English, Chair; Menor/Baker, Co-Chairs; Tsutsui, Trimble
2843, SD 2, HD 3	Menor, Chair; Baker/Fukunaga, Co-Chairs; Whalen

Sen. Com. No. 665, dated April 14, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 546, SD 2, HD 1	Senator Kokubun added as Co-Chair.
S.B. No. 2829, SD 2, HD 2	Senators Hooser, Chun Oakland added as conferees.
S.B. No. 2997, SD 1, HD 1	Senator Tokuda added as Co-Chair.
S.B. No. 3202, HD 1	Senator Nishihara added as conferee.
S.B. No. 3203, SD 1, HD 1	Senator Gabbard added as conferee.

Sen. Com. No. 666, dated April 14, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

2224, HD 1, SD 2	Ige, Chair; Kokubun/Taniguchi, Co-Chairs; Whalen
2261, HD 2, SD 1	Tokuda, Chair; Menor/Baker, Co-Chairs; Kokubun, Slom
2863, HD 2, SD 2	Menor, Chair; Hee/Inouye/Kokubun/Baker, Co-Chairs; Trimble.

Sen. Com. No. 667, dated April 14, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the House to the following Senate Bill:

2294, SD 2, HD 1	Kokubun, Chair; Baker, Co-Chair; Taniguchi, Kim, Fukunaga, Hemmings

Sen. Com. No. 668, dated April 14, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bill:

S.B. No. 994, SD 1, HD 1	Senator Baker added as Co-Chair.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Sagum, on behalf of Representatives Tokioka and Morita, introduced students and staff from KANAKA, Kula Aupuni Niihau Kahelelani Aloha.

Representative Finnegan introduced the administrators and staff from various Charter Schools:

Reshela DuPuis, CSAO E.D.
Alapaki Nahale-a, Ka `Umeke Ka`eo
Susie Osborne, Kua O Ka La
Mark Christiano, Kihei Charter School
Steve Hirakami, Hawaii Academy of Arts and Science
Ipo Torio, Kanuikapono, PCS
John Thatcher, Connections PCS
Maunalei Love, former CSAO E.D.
Puanani Wilhelm, Ke Ana La'ahana PCS
Curtis Muraoka, West Hawaii Explorations
Taffie Wise, Kanu O Ka `Aina
Kristina Erskine, Kanu O Ka `Aina
Laara Allbrett, Halau Lokahi
Gene Zarro, Kihei Charter School
Boyce Brown, Kanu O Ka `Aina
Hedi Sullivan, Kula Aupuni Niihau Kahelelani Aloha
Keola Nakanishi, Halau Ku Mana

Representative Finnegan then introduced two students, from Kualapuu Charter School on Molokai and Ka 'Umeke Ka'eo School.

Representative Belatti introduced students from Halau Ku Mana, accompanied by Mr. Keola Nakanishi.

Representative Mizuno introduced students from Halau Lokahi.

Representative Ward introduced Mr. Bob Toyofuku.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bills were re-referred to committee by the Speaker:

S.B. Nos.	Re-referred to:
651, SD2, HD2	Committee on Energy & Environmental Protection, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2365, SD1, HD1	Committee on Transportation, then to the Committee on Economic Development & Business Concerns, then to the Committee on Finance
2499, HD1	Jointly to the Committee on Tourism & Culture and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, then to the Committee on Education, then to the Committee on Judiciary

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
37, SD1	Committee on Legislative Management
67, SD1	Committee on Labor & Public Employment
70	Committee on Legislative Management
92, SD1	Committee on Legislative Management
96, SD1	Committee on Legislative Management
200, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Legislative Management
212, SD2	Committee on Legislative Management
234	Committee on Transportation

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that House Resolution No. 86 was re-referred solely to the Committee on International Affairs per Committee Referral Sheet No. 80 that was placed on your desk today. The Committee on Tourism and Culture waived its referral to this measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on H.R. No. 86, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone, M. Oshiro and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1447-08 in referring H.R. No. 86 to the Committee on Tourism & Culture, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone, M. Oshiro and Wakai were excused.)

ADOPTION

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.R. No. 86, entitled: "HOUSE RESOLUTION URGING THE PRESIDENT, THE SECRETARY OF STATE, AND THE SECRETARY OF HOMELAND SECURITY TO INCLUDE THE REPUBLIC OF KOREA IN THE VISA WAIVER PROGRAM," was adopted, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

STANDING COMMITTEE REPORT

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1909-08), recommending that S.C.R. No. 115, SD 1, as amended in HD 1, 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 S.C.R. No. 115, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A PILOT PROJECT TO ALLOW A SCHOOL COMPLEX TO IDENTIFY CRITICAL DEPARTMENT RULES AND POLICIES THAT IMPEDE EFFECTIVE DECISION-MAKING, ADMINISTERING, AND TEACHING AND TO OPERATE FREE OF THOSE RULES AND POLICIES," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai were excused.)

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai were excused.)

H.B. No. 7, HD 1, SD 1
H.B. No. 2254, HD 2, SD 1
H.B. No. 2559, HD 2, SD 1
H.B. No. 2699, HD 1, SD 1

H.B. No. 7, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 7, H.D. 1 and H.B. No. 7, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," passed Final Reading by a vote of 44 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

H.B. No. 2254, H.D. 2, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2254, H.D. 2 and H.B. No. 2254, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS," passed Final Reading by a vote of 44 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

H.B. No. 2559, H.D. 2, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2559, H.D. 2 and H.B. No. 2559, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT," passed Final Reading by a vote of 44 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

H.B. No. 2699, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2699, H.D. 1 and H.B. No. 2699, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE," passed Final Reading by a vote of 44 ayes, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

At 12:31 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 7, HD 1, SD 1
H.B. No. 2254, HD 2, SD 1
H.B. No. 2559, HD 2, SD 1
H.B. No. 2699, HD 1, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai were excused.)

H.C.R. No. 111, HD 1 (SD 1)

FINAL ADOPTION

The following House Concurrent Resolution was taken from the Clerk's desk and the following action taken:

H.C.R. No. 111, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 111, HD 1, and H.C.R. No. 111, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING HAWAII'S CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATIVE INCENTIVES FOR PUBLIC HOUSING TENANTS TO TRANSITION INTO PERMANENT HOUSING," was Adopted, with Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai being excused.

ANNOUNCEMENTS

Representative Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing S.B. No. 69, SD 2, HD 2, Relating to Healthcare, with a proposed HD 3, on Wednesday, April 16, 2008, at 1:30 p.m. in Room 308, and the Chair "so ordered."

Representative Lee continued, stating:

"A proposed HD 3 will be heard, temporarily expanding eligibility for Hawaii Children's Healthcare Program to assist children of workers employed on March 29, 2008 by a Hawaii interisland air carrier that was in bankruptcy proceedings on that date."

Representative Ward: "Mr. Speaker just a reminder that the faith and football luncheon will be held immediately after session and it's in Room 437, immediately following. Thank you, Mr. Speaker. It's with the Chaplain of the UH football team."

Representative Bertram: "Just reminding everyone at 4:00 to o to the rotunda to say aloha to Aloha. We've invited all employees and we're going to have food and presents and just to say a nice public good bye to a wonderful company. So we invite everybody to that at 4:00."

ADJOURNMENT

At 12:34 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Thielen and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow,

Wednesday, April 16, 2008. (Representatives Brower, Cabanilla, Carroll, Manahan, Meyer, Nakasone and Wakai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 15, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

2429, HD 2, SD 2	Ito/Chang/Yamane/M. Oshiro, Co-Chrs.; Finnegan

House Communication dated April 15, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

2842, SD 2, HD 2	Morita/Carroll, Co-Chrs.; Sagum, Thielen
2843, SD 2, HD 3	Morita/Yamashita/M. Oshiro, Co-Chrs.; Carroll, Wakai, Ward
2849, SD 1, HD 1	Morita/Ito/Tsuji, Co-Chrs.; Thielen
3174, SD 2, HD 2	Shimabukuro/Ito/M. Oshiro, Co-Chrs.; Karamatsu, Rhoads, Ward

House Communication dated April 15, 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 made the following change to the conferees on the following measure:

S.B. No. 2499, HD 1	Added Representative Takumi as Co-Chair

House Communication dated April 15, 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 agreed to the amendments made by the Senate and passed the following bills House Bills on Final Reading:

H.B. No. 7, HD 1, SD 1
H.B. No. 2254, HD 2, SD 1
H.B. No. 2559, HD 2, SD 1
H.B. No. 2699, HD 1, SD 1

House Communication dated April 15, 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 agreed to the amendments made by the Senate and has this day adopted House Concurrent Resolution No. 111, HD 1, SD 1.

FIFTY-FIRST DAY

Wednesday, April 16, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Josh Green, M.D., after which the Roll was called showing all members present with the exception of Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fiftieth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 301 through 304) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 301, informing the House that on April 15, 2008, the following bill was signed into law:

S.B. No. 1809, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 013)

Gov. Msg. No. 302, informing the House that on April 15, 2008, the following bill was signed into law:

H.B. No. 3325, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM LAND SALES PRACTICES ACT." (ACT 014)

Gov. Msg. No. 303, informing the House that on April 15, 2008, the following bill was signed into law:

H.B. No. 3343, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FILIPINO-AMERICAN HISTORY MONTH." (ACT 015)

Gov. Msg. No. 304, informing the House that on April 15, 2008, the following bill was signed into law:

S.B. No. 2399, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS." (ACT 016)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 669 through 673) were received and announced by the Clerk:

Sen. Com. No. 669, dated April 15, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

2700, HD 1, SD 2	Taniguchi, Chair; Baker, Co-Chair; Tsutsui, Slom

Sen. Com. No. 670, dated April 15, 2008, informing the House that the Senate has, on April 14, 2008, reconsidered its action taken on April 10, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 2779, HD 2	"RELATING TO LABOR."
S.B. No. 3004, SD 2, HD 2	"RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM."
S.B. No. 3005, SD 2, HD 2	"RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM."
S.B. No. 3228, HD 1	"RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES."

Sen. Com. No. 671, dated April 15, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 1745, HD 3, SD 1	Senate Conferees discharged.
H.B. No. 2261, HD 2, SD 1	Senator Menor discharged as Co-Chair; Added as conferee. Senator Hooser added as Co-Chair
H.B. No. 2505, HD 2, SD 2	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.
H.B. No. 2507, HD 1, SD 2	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.
H.B. No. 2550, HD 2, SD 2	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.
H.B. No. 2811, SD 2	Senator Tsutsui discharged as Co-Chair. Senator Baker added as Co-Chair.
H.B. No. 2843, HD 2, SD 2	Senator English discharged as Co-Chair; Added as conferee. Senator Menor discharged as Co-Chair; Added as conferee. Senator Gabbard, Hooser added as Co-Chair.
S.B. No. 644, SD 3, HD 3	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.
S.B. No. 1612, SD 2, HD 2	Senator Menor discharged as Chair; Added as conferee. Senator Hooser discharged as conferee; Added as Chair.
S.B. No. 2294, SD 2, HD 1	Senator Kim discharged as conferee.
S.B. No. 2345, SD 1, HD 1	Senator Espero discharged as Co-Chair; Added as conferee. Senator Nishihara added as Co-Chair.
S.B. No. 2842, SD 2, HD 2	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.

S.B. No. 2843, SD 2, HD 3	Senator Menor discharged as Chair; Added as conferee. Senator Hooser added as Chair.
S.B. No. 2849, SD 1, HD 1	Senator Menor discharged as Co-Chair; Added as conferee. Senator Hooser added as Co-Chair.
S.B. No. 2850, SD 2, HD 2	Senator Menor discharged as Co-Chair; Added as conferee. Senator Hooser added as Co-Chair.

Sen. Com. No. 672, dated April 15, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

661, HD 1, SD 3	Taniguchi, Chair; Tsutsui, Co-Chair; Kokubun
1755, HD 1, SD 1	Fukunaga, Chair; Baker, Co-Chair; Slom
2062, HD 1, SD 2	Chun Oakland, Chair; Baker, Co-Chair; Ihara, Hemmings
2306, HD 2, SD 2	Ige, Chair; Fukunaga/Baker, Co-Chairs; Whalen
2326, HD 2, SD 1	Kokubun, Chair; Taniguchi, Co-Chair; Trimble
2366, SD 1	Ige, Chair; Baker, Co-Chair; Fukunaga, Whalen
2521, HD 2, SD 3	Sakamoto, Chair; Baker, Co-Chair; Fukunaga, Gabbard, Slom
2675, HD 2, SD 1	Ige, Chair; Taniguchi, Co-Chair; Whalen
2697, HD 1, SD 1	Taniguchi, Chair; Gabbard, Slom
2730, HD 1, SD 1	Inouye, Chair; Taniguchi, Co-Chair; Hemmings
2761, HD 1, SD 1	Chun Oakland, Chair; Baker, Co-Chair; Hemmings
2763, HD 1, SD 1	Chun Oakland, Chair; Espero/Baker, Co-Chairs; Hemmings
2920, SD 1	Kokubun, Chair; Taniguchi, Espero, Trimble
3150, HD 2, SD 1	Ige, Chair; Menor, Co-Chair; Fukunaga, Whalen
3175, HD 1, SD 1	Hee, Chair; Fukunaga, Whalen

Sen. Com. No. 673, dated April 15, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

2386, SD 2	Taniguchi, Chair; Tsutsui, Co-Chair; Hee
2387, HD 1, SD 2	Taniguchi, Chair; Tsutsui, Co-Chair; Hee, Whalen
2388, HD 1, SD 2	Taniguchi, Chair; Tsutsui, Co-Chair; Hee
2698, HD 3, SD 1	Taniguchi, Chair; Baker, Co-Chair; Slom
2772, HD 3, SD 1	Taniguchi, Chair; Baker, Co-Chair; Chun Oakland, Slom
2998, HD. 1, SD. 2	Taniguchi, Chair; Baker, Co-Chair; Slom

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Awana introduced the following members of the Consular Corps of Hawaii:

Ms. Lourdes Tabamo, Vice Consul of the Consulate of the Philippines, representing Mr. Ariel Abadilla, Consul General;
Mr. Alvin Adams, Consul of Peru;
Mr. Philip Anungar, Consul General of the Republic of the Marshall Islands;
Ms. Teresita Bernales, Associate Member;
Mr. Frank Boas, Associate Member;
Ms. Jill Takasaki Canfield, Associate Member;
Ms. Kusuma Cooray, Honorary Consul of the Democratic Socialist Republic of Sri Lanka;
Mr. Eric G. Crispin, Honorary Consul of Brazil;
Ms. Carmen Di Amore-Siah, Honorary Vice-Consul of Italy;
Ms. Nina H. Fasi, Honorary Consul of Norway;
Ms. Annie Kaneshiro, Honorary Consular Agent of the Consular Agency of Tonga; and
Mr. Suk Ho Ha, representing Mr. Dae-hyun Kang, Consul General of Korea.

Representative Ward then continued to introduce Members of the Consular Corps of Hawaii:

Ms. Emese Komjathy, Honorary Consul of the Republic of Hungary;
Mr. Toshio Kunikata, Consul General of Japan;
Ms. Patricia Y. Lee, Honorary Consul of France;
Ms. Natasha Owen, Honorary Consul of the Russian Federation;
Mr. William E. Paupe, Honorary Consul of Kiribati;
Ms. Ruth Rittmeister, Consul Emeritus of Norway;
Ms. Jenny Samaan, Associate Member;
Mr. Gaylord G. Tom, Honorary Consul of the Netherlands;
Mr. Laurence Vogel, Honorary Consul of Denmark;
Mr. Philip Wang, Associate Member;
Mr. Herbert E. Wolff, Honorary Consul of Malaysia;
Mr. R.J. "Zap" Zlatoper, Honorary Consul of Slovenia; and
Mr. Hans Strasser, Honorary Consulate of Austria.

Representative Finnegan introduced the staff members of Women in Need, Ms. Mary Scott-Lau, Executive Director; Ms. Nancy Cullen; and program participants, Ms. Donna Kaimi, Ms. Michelle Amaya, Ms. Marcia Burmoy, and Ms. Lily Haida.

Representative Finnegan also introduced Mr. Dean Kealanahele-Querubin with the Paxon Group Community All Stars and About Face program. He was accompanied by his mother, Ms. Gina Kealanahele-Querubin.

Representative Finnegan also introduced staff members of the Tutu and Me Traveling Preschool on Kauai, Oahu, Molokai, Maui and Hawaii.

Representative Pine introduced her friend, Mr. Michael McNulty with the Next Step shelter program.

Representative Awana introduced the members of the Hawaiian Kingdom Government:

Ms. Kulamika Makekau, Royal Minister of Foreign Affairs;
Ms. Kaleiahiahi, Tribunal Chief Justice;
Mr. Panakonau'e, Royal Minister of Interior;
Mr. Lambert Smith, Legislator Coordinator;
Mr. Keala Tau'a, Royal Ministry of Security;
Ms. Charlotte Kahalewai, Attorney General;

Ms. Pauline Kaihana, Legislative Member;
Ms. Charlene Kamake'e'aina, Circuit Judge;
Mr. Solomon Kahalewai, Legislative Member;
Mr. Wayne Waiolama, Legislative Member;
Mr. Stanley Aikala, Judiciary; and
Ms. Leocadia Hashimoto, Legislative Member.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
41, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce
106, SD1	Committee on Human Services & Housing
196, SD1	Jointly to the Committee on Health and the Committee on Consumer Protection & Commerce

STANDING COMMITTEE REPORT

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1910-08) recommending that S.C.R. No. 5, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 5, SD 1, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE EFFORTS OF THE ALL BELIEVERS NETWORK TO ESTABLISH THE STATEWIDE INTERFAITH STEERING COMMITTEE TO EXPLORE THE POSSIBILITY OF ORGANIZING A MAJOR INTERNATIONAL INTERFAITH CONFERENCE IN HAWAII TO TAKE PLACE BY 2011," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1911-08) recommending that S.C.R. No. 52, HD 1, as amended in HD 2, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 52, HD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1912-08) recommending that S.C.R. No. 84, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 84, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Takai rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of Stand. Com. 1912. Thank you. Unfortunately, our good Member from Kihei is not here today, but he has been a champion of this effort ever since coming here Mr. Speaker. And although it doesn't look it when you look at me, I still absorb what he's talking about. And I do believe his mission in life to educate us, as well the people of the State in the area of vegetarian and vegan meals is appreciated.

"And at this time I'd like to request written comments entered into the Journal and I'm going to ask our Representative from Kihei to help me with it," and the Chair "so ordered."

Representative Takai's written remarks are as follows:

"Mr. Speaker, I rise in support of SCR 84.

"Over the past two years, I've grown to know and appreciate the efforts of our colleague from South Maui, the Representative from House District 11.

"I don't know of anyone else who has come into our body that has been able to shape public policy on an issue that wasn't considered just a few years ago.

"The Representative from South Maui is a leader who strongly believes that children and adults, as well, need to have the opportunity to choose more healthy eating habits.

"I asked the Representative from South Maui to give me a few comments about why he supports SCR 84, and why we as a body need to support this Resolution.

"Here are comments from Rep. Joe Bertram from South Maui:

SCR 84 requests the Department of Education and the Hawaii Public School Food Service to develop nutritionally-sound public school menu plans that include vegetarian and vegan meals.

Vegetarian (i.e. the plant-based diet) will not only address childhood obesity, it will also lead to a healthier community in the long run and a healthier planet.

A recent study, the biggest so far, confirmed lower obesity rates, as well as, a reduction in many diseases. Also the UN report on global warming identified methane from cows and the meat industry as a major contributor to global warming.

The main impediment to vegetarians is peoples' strong addiction to meat. Introducing kids to the possibility of vegetarian dishes can begin the slow evolution to a healthy, sustainable world.

"I urge our colleagues to head the advice from the Representative from South Maui and to support this Resolution. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I also rise in strong support. Mr. Speaker, I've had as you know and some others may know the opportunity to understand diabetes on a much more personal scale this year. It's my understanding that this disease is the most epidemic disease in our State, and I know that we've passed Legislation also to acknowledge this.

"But I think that our local people, our Hawaii people don't always get the opportunity to make changes in their diet, I myself included. And now we have a new awareness of this disease which is somewhat preventable by diet. More and more dialysis centers will pop up, people will lose their lives, families will be crushed, and friends will be saddened. And I think that it's time that our Hawaii people, especially our children understand that a vegan diet can

prevent many of these life-threatening diseases. Thank you Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Real briefly, my colleague from Kihei is not here so I will briefly stand in his stead. It's a passionate issue for him, not only because of the health concerns, but also because it evolves around choice, something that's been lacking. It was funny when I saw this because in 1992 when I was an aide in the State Senate, you couldn't even get a Resolution like this heard, so I really think that us adopting this today and moving this forward shows that this body is truly moving things forward in the State of Hawaii. So thank you, and thank you Members."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 84, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE HAWAII PUBLIC SCHOOL FOOD SERVICE TO DEVELOP NUTRITIONALLY-SOUND PUBLIC SCHOOL MENU PLANS THAT INCLUDE VEGETARIAN AND VEGAN MEALS," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representatives Takumi and Sonson, for the Committee on Education and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1913-08), recommending that S.C.R. No. 72, SD 1, 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 S.C.R. No. 72, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONDUCT A FEASIBILITY STUDY TO EXAMINE VARIOUS IMPACTS OF A LONGER SCHOOL DAY AND INCREASING THE NUMBER OF DAYS IN THE SCHOOL YEAR ON KINDERGARTEN THROUGH GRADE TWELVE STUDENTS," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1914-08), recommending that S.C.R. No. 74, SD 1, 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 S.C.R. No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP GUIDELINES TO REDUCE THE TRUANCY RATE IN THE PUBLIC SCHOOL SYSTEM," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1915-08), recommending that S.C.R. No. 83, SD 1, 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 S.C.R. No. 83, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII TEACHER STANDARDS BOARD," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1916-08), recommending that S.C.R. No. 111, 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 S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE CURRICULAR MATERIALS THAT REFLECT THE HAWAII STANDARDS TO ASSIST A TEACHER WHO HAS TO TEMPORARILY TEACH IN AN AREA WHERE THE TEACHER IS NOT HIGHLY QUALIFIED," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1917-08), recommending that S.C.R. No. 114, SD 1, 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 S.C.R. No. 114, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY GROUP TO RE-ENGINEER THE DEPARTMENT OF EDUCATION'S OFFICE OF HUMAN RESOURCES," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1918-08), recommending that S.C.R. No. 118, SD 1, as amended in HD 1, 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 S.C.R. No. 118, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION IMPROVING THE COMMUNITY'S UNDERSTANDING OF THE DEPARTMENT OF EDUCATION'S PROGRAMS AND SCHOOL EXPENSES INCLUDING A COMPARISON WITH OTHER STATES ON ADEQUACY OF FUNDS," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters being excused.

ANNOUNCEMENTS

Representative Sonson, for the Committee on Labor & Public Employment and the Committee on Public Safety & Military Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Thursday, April 17, 2008, at 11:30 a.m. in Room 312, and the Chair "so ordered."

S.C.R. No. 102, SD 1, Requesting the Departments of Public Safety and Human Resources Development to Increase the Salaries and Improve the Benefits that are Provided to Deputy Sheriffs; and

S.C.R. No. 67, SD 1, Urging the Legislature to Declare September as Language Access Month and Requesting the Office of Language Access to Conduct a Feasibility Study on Establishing a Statewide Centralized Language Access Resource Center.

Representative Karamatsu, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs, requested a waiver of the 48-hour advanced notice requirement for the purpose of hearing the following measures on Thursday, April 17, 2008, at 11:30 a.m. in Room 414, and the Chair "so ordered."

S.C.R. No. 4, Authorizing the Issuance of Non-exclusive Easement Covering a Portion of State Submerged Lands at Lahaina, Maui for Maintenance and Repair of Existing Concrete Pillars and Improvement Purposes; and

S.C.R. No. 210, Requesting the Legislature to Review the Action of the Board of Land and Natural Resources Relating to a Land Exchange.

ADJOURNMENT

At 12:29 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Thursday, April 17, 2008. (Representatives Bertram, Brower, Cabanilla, Manahan, Nakasone, Wakai and Waters were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 16, 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 made the following change to the conferees on the following measure:

H.B. No. 2520, HD 3, SD 2	Representative Lee replaced Representative M. Oshiro as Co-Chair

FIFTY-SECOND DAY

Thursday, April 17, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Mr. Kainoa Daines of the Miramar Hotel, and son of Ms. Poni Danes of Representative Hanohano's office, after which the Roll was called showing all members present with the exception of Representatives Brower, Cabanilla, Manahan, Marumoto, Nakasone and Wakai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-First Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 305) was received and announced by the Clerk and was placed on file:

Gov. Msg. No. 305, informing the House that on April 16, 2008, the following bill was signed into law:

S.B. No. 2425, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ARSON." (ACT 017)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 674 through 679) were received and announced by the Clerk:

Sen. Com. No. 674, transmitting H.C.R. No. 117, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," which was adopted by the Senate on April 16, 2008.

Sen. Com. No. 675, transmitting H.C.R. No. 194, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU THAT IS UNDER ITS JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," which was adopted by the Senate on April 16, 2008.

Sen. Com. No. 676, dated April 16, 2008, informing the House that the Senate has, on April 15, 2008, reconsidered its action taken on April 10, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bills have this day passed Final Reading:

S.B. No. 3068, SD 1, HD 1	"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION."
S.B. No. 3074, SD 1, HD 1	"MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH."

Sen. Com. No. 677, dated April 16, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolution:

S.C.R. No. 53, SD 1, HD 1	"REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN."

Sen. Com. No. 678, dated April 16, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bills:

1365, SD 2	Taniguchi, Chair; Baker, Co-Chair; Slom
3422, HD 2, SD 1	Taniguchi, Chair; Baker, Co-Chair; Gabbard

Sen. Com. No. 679, dated April 16, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 2521, HD 2, SD 3	Senator Fukunaga discharged as conferee; Added as Co-Chair.
S.B. No. 1612, SD 2, HD 2	Senator Hooser discharged as Chair; Added as conferee. Senator Menor discharged as conferee; Added as Chair.
S.B. No. 2365, SD 1, HD 1	Senator Menor discharged as Co-Chair; Added as conferee. Senator Hooser added as Co-Chair.
S.B. No. 2842, SD 2, HD 2	Senator Hooser discharged as Chair. Senator Menor discharged as conferee; Added as Chair.
S.B. No. 2843, SD 2, HD 3	Senator Hooser discharged as Chair. Senator Menor discharged as conferee; Added as Chair.

DEPARTMENTAL COMMUNICATIONS

The following departmental communications (Dept. Com. Nos. 71 and 72) were received by the Clerk and were placed on file:

Dept. Com. No. 71, dated April 16, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Performance Audit on the State Administration's Actions Exempting Certain Harbor Improvements To Facilitate Large Capacity Ferry Vessels From the Requirements of the Hawai'i Environmental Impact Statements Law: Phase I.

Dept. Com. No. 72, dated April 16, 2008, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Financial Review of the Hawaii Health Systems Corporation.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Karamatsu introduced the United States Junior Chamber of Commerce's 88th President, Ms. Denice P. O'Neil of Tennessee. She was accompanied by Mr. Patrick Tomiyasu, Hawaii Jaycees 65th President, and Mr. Jeoffrey Cudiamat, Hawaii Jaycees Director of Public Relations.

Representative Meyer introduced her constituent, Mr. Richard Fale.

Representative Berg introduced the 3rd grade students of Aina Haina Elementary School. They were accompanied by their teachers, Ms. Erin Maeshiro, Mrs. Shawn Nakamura, and Ms. Gail Yip; and chaperones, Ms. Renee Ako, Ms Bobbi Lum-Mew, Ms. Tessa Ching, Ms. Asselbaye, Mr. Dustin Tanaka, Mrs. Marie Paresa, Ms. Wa Cathy Li, and Ms. Lisa Char.

Representative Caldwell introduced the nicest person in the Capitol, House Printshop Manager, Ms. Tammy Tengan of the Chief Clerk's Office.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following bill was re-referred to committee by the Speaker:

H.B. No.	Re-referred to:
2040, SD2	Committee on Economic Development & Business Concerns, then to the Committee on Water, Land, then to the Ocean Resources & Hawaiian Affairs, then to the Committee on Energy & Environmental Protection, then to the Committee on Human Services & Housing, then to the Committee on Finance

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
88, SD1	Committee on Health
102, SD 1	Jointly to the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that Senate Concurrent Resolution No. 106, SD 1 was re-referred solely to the Committee on Human Services & Housing per Committee Referral Sheet No. 85 that was placed on your desks today. The Committee on Judiciary waived its referral to this measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on S.C.R. No. 106, SD 1, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1906-08 in referring S.C.R. No. 106, SD 1, to the Committee on Judiciary, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai were excused.)

ADOPTION

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.C.R. No. 106, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE OFFICE OF YOUTH SERVICES AND THE DEPARTMENT OF HUMAN SERVICES CONVENE A WORKING STUDY GROUP TO CONDUCT A STUDY INTO SAFE SHELTER OPTIONS FOR YOUTH," was adopted, with Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai being excused.

STANDING COMMITTEE REPORT

Representatives Takumi and Green, for the Committee on Education and the Committee on Health presented a report (Stand. Com. Rep. No. 1919-08), recommending that S.C.R. No. 134, SD 2, as amended in HD 1, 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 S.C.R. No. 134, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO "BUY LOCAL" AND TO IMPLEMENT AND DEVELOP FOOD WARE AND FOOD WASTE RECYCLING PROGRAMS TO ENCOURAGE SUSTAINABILITY," was referred to the Committee on Finance with Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai being excused.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to a certain House bill. (Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bill, seconded by Representative B. Oshiro and carried. (Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai were excused.)

H.B. No. 3109, SD 1

ANNOUNCEMENTS

Representative Thielen: "I would like to remind Members that next Tuesday is Earth Day, and that means this Friday is natural fiber Aloha Friday, either hemp or other natural fiber, in honor of Earth Day. Thank you."

Representative Lee, for the Committee on Finance, requested a waiver of the 48-hour advanced notice requirement for decision making only on the following Senate Concurrent Resolutions which were previously heard. They will be schedule on Friday, April 18th at 11:15 a.m. in Room 308," and the Chair "so ordered."

S.C.R. 72, SD 1, Requesting that the Department of Education Conduct a Feasibility Study to Examine Various Impacts of a Longer School Day,

S.C.R. 74, SD 1, Requesting the Department of Education to Convene a Working Group to Develop Guidelines to Reduce the Truancy Rate,

S.C.R. 83, SD 1, Requesting the Auditor to Conduct a Study on the Appropriate Accountability Structure for the Hawaii Teachers Standard Board,

S.C.R. 111, Requesting the Department of Education to Prepare Curricular Materials that Reflect the Hawaii Standards to Assist a Teacher who has to Temporarily Teach in an Area Where the Teacher is Not Highly Qualified,

S.C.R. 114, SD 1, Creating an Advisory Group to Re-engineer the Department of Education's Office of Human Resources,

S.C.R. 118, SD 1, HD 1, Improving the Community's Understanding of the Department of Education's Programs and School Expenses, and

S.C.R. 134, SD 2, HD 1, Urging the Department of Education and the Department of Health to Buy Local.

Representative Ward: "Mr. Speaker, today is a very special day for the Middle East. On April 17, Syria gained its independence from France. An interesting fact about Syria is that it's about the size of North Dakota. It only has 18 million people, but the capital, Damascus, was in 753 B.C. a flourishing city, even a couple thousand years before Rome. So today is Syria's National Day."

Representative Lee: "Mr. Speaker, I have one additional announcement. We would like the Finance Committee Co-Chairs to meet briefly in the Caucus Room after this meeting. Thank you."

ADJOURNMENT

At 12:25 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 18, 2008. (Representatives Brower, Cabanilla, Manahan, Nakasone and Wakai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 17, 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

2293, SD 1, HD 1	Shimabukuro/Ito/Rhoads, Co-Chrs.; Thielen
2294, SD 2, HD 1	Ito/Shimabukuro/Karamatsu, Co-Chrs.; Brower, Rhoads, Thielen

House Communication dated April 17, 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 made the following change to the conferees on the following measure:

H.B. No. 2040, SD 2	Representative Yamashita moved to lead Co-Chair

House Communication dated April 17, 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 made the following changes to the conferees on the following measures:

H.B. No. 2245, HD 1, SD 2	Discharged Representative Takai
H.B. No. 2306, HD 2, SD 2	Discharged Representative Takai
H.B. No. 2408, HD 1, SD 2	Discharged all House Conferees

House Communication dated April 17, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 3, 2008 and gives notice of intent to agree for the following House Bill No. 3109, SD 1.

FIFTY-THIRD DAY

Friday, April 18, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:08 o'clock p.m., with the Speaker presiding.

Representative Har introduced the CCO Singers, Mr. Richard "Klunx" Ah Lee Sam, III, Ms. Lauren Moniz, and Ms. Jenni Panoncial, who then delivered the invocation in song. The Roll was called showing all members present with the exception of Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Second Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 306, 307 and 309) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 306, informing the House that on April 17, 2008, the following bill was signed into law:

H.B. No. 2467, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FIRE PROTECTION." (ACT 018)

Gov. Msg. No. 307, informing the House that on April 17, 2008, the following bill was signed into law:

S.B. No. 2402, SD 1, entitled: "A BILL FOR AN ACT MAKING VARIOUS HOUSEKEEPING AMENDMENTS TO VOLUME 11 OF THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE." (ACT 019)

Gov. Msg. No. 309, dated April 14, 2008, transmitting the 2007 Annual Report of the State of Hawaii Overseas Offices prepared by the Department of Business, Economic Development & Tourism.

The following message from the Governor (Gov. Msg. No. 308) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 308, transmitting S.B. No. 1805, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 17, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1805

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 1805, entitled "A Bill for an Act Relating to Genetic Counselors."

The purpose of this bill is to require the Department of Health to establish a licensure program for genetic counselors, in order to ensure access to high quality genetic counseling services.

This bill is objectionable because the State Auditor conducted a sunrise analysis of a similar bill in 2006 and found that the licensing of genetic counselors is not necessary and does not meet the criteria for regulation under the Hawaii Regulatory Reform Act. The Auditor's analysis stated that establishing a licensing program is largely about title protection. It gives licensed individuals the ability to use the title but does not prohibit the practice by non-licensed practitioners. The Auditor considered cases of harm cited by supporters of licensing but noted, however, that the harm cited stemmed from those outside regulation. As a result, the Auditor concluded that licensing would have "no bearing on direct, commercial marketing of DNA testing and counseling, especially at-home genetic self testing, which is a burgeoning industry."

There is no question that qualified genetic counselors can provide positive services to individuals with significant health issues. The argument, however, that licensing genetic counselors will protect those seeking services from incompetent or unscrupulous persons is not valid. The bill prohibits unlicensed individuals from using the title genetic counselor but it would not prohibit them from offering services. Should an individual in need of services seek additional knowledge about a counselor's qualifications, they could consult the American Board of Genetic Counseling which serves as the credentialing organization for the genetic counseling profession in the U.S. and Canada. Although well-intentioned, the licensing of genetic counselors by the State warrants more study and analysis by the Auditor as provided under Chapter 26H, Hawaii Revised Statutes. Finally, procedural flaws under Sections 15 and 16 of Article III of the State Constitution appear to have occurred in the passage of this bill.

For the foregoing reasons, I am returning Senate Bill No. 1805 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 680 through 683) were received and announced by the Clerk:

Sen. Com. No. 680, transmitting 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," which was adopted by the Senate on April 17, 2008.

Sen. Com. No. 681, transmitting H.C.R No. 114, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS," which was adopted by the Senate on April 17, 2008.

Sen. Com. No. 682, transmitting H.C.R No. 126, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO JOINTLY STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," which was adopted by the Senate on April 17, 2008.

Sen. Com. No. 683, transmitting H.C.R No. 226, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A SURVEY OF CURRENT AND PROSPECTIVE STUDENTS TO EXAMINE AND DEVELOP A PLAN TO ADDRESS RURAL HEALTH PROFESSIONAL SHORTAGE AREAS IN THE STATE," which was adopted by the Senate on April 17, 2008.

INTRODUCTION

The following introduction was made to the members of the House:

Representative Mizuno introduced Girl Scout Troup No. 401 who were supporting SCR 77, Cadets Nika Kashyap, Chanel Gemini and SabinaVan Tilburg; and mothers, Terry Stillman and Malia DeSilva. They were accompanied by Representative's staff member, Dr. Leolani Oyama.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
8	Committee on Human Services & Housing
54	Committee on Transportation
124, SD1	Jointly to the Committee on Human Services & Housing and the Committee on Health
222	Committee on Labor & Public Employment

STANDING COMMITTEE REPORTS

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1920-08), recommending that S.C.R. No. 201, SD 1, 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 S.C.R. No. 201, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE HAWAII HEALTH SYSTEMS CORPORATION TO ESTABLISH A TASK FORCE TO ASSIST IN DEVELOPING A MASTER PLAN FOR LONG-TERM CARE FOR LEAHI HOSPITAL," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1921-08), recommending that S.C.R. No. 79, 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 S.C.R. No. 79, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING TUBERCULOSIS SCREENING AND TREATMENT FOR RESIDENTS OF PUBLIC HOUSING AND EMERGENCY TRANSITIONAL SHELTER HOUSING," was referred to the Committee on Finance with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1922-08), recommending that S.C.R. No. 105, SD 1, be referred to the Committee on Public Safety & Military Affairs.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 105, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CALLING ON THE DEPARTMENT OF HUMAN SERVICES TO CONVENE A TASK FORCE TO ESTABLISH PROTOCOLS AND TRAINING PROGRAMS FOR FIRST RESPONDERS IN CHILD PROTECTIVE AWARENESS SKILLS," was referred to the Committee on Public Safety & Military Affairs with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representatives Green and Shimabukuro, for the Committee on Health and the Committee on Human Services & Housing presented a report (Stand. Com. Rep. No. 1923-08) recommending that S.C.R. No. 153, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 153, entitled: "SENATE CONCURRENT RESOLUTION SUPPORTING THE "DIVIDED WE FAIL" CAMPAIGN," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1924-08) recommending that S.C.R. No. 37, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 37, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE ESTABLISHMENT OF A COMPREHENSIVE VOCATIONAL REHABILITATION CENTER FOR DEAF AND HARD OF HEARING INDIVIDUALS," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1925-08) recommending that S.C.R. No. 70, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 70, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE FEASIBILITY OF ESTABLISHING A DEGREE PROGRAM FOR SPORTS AND ENTERTAINMENT MANAGEMENT AT THE UNIVERSITY OF HAWAII," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1926-08) recommending that S.C.R. No. 92, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 92, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ESTABLISHING A PUBLIC FINANCIAL EDUCATION AND ASSET-BUILDING TASK FORCE," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1927-08) recommending that S.C.R. No. 96, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 96, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE STATE AUDITOR TO CONDUCT A PROGRAM, PERFORMANCE, AND FINANCIAL AUDIT OF THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was adopted, with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Magaoay, for the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1928-08) recommending that S.C.R. No. 212, SD 2, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 212, SD 2, be adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 212, SD 2, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO INVESTIGATE PROCUREMENT AND EXPENDITURE PRACTICES OF THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM AND SELECTED ATTACHED AGENCIES," was adopted, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives Bertram, Brower, Cabanilla, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering a certain bill on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai were excused.)

FINAL READING

The following bill was taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bill, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai were excused.)

H.B. No. 3109, SD 1

Representative Meyer rose, stating:

"Mr. Speaker, isn't this Final Reading? Shouldn't I have to call out the vote?"

The Chair responded, stating:

"Representative Meyer, you will do that later on. The first motion was to suspend the rules of the House to consider this particular measure which we previously disagreed to. The second motion was to agree. And now I'm asking the Clerk if she is in receipt of the record of vote forms for said House Bill."

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bill has been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 3109, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3109, on the following showing of Ayes and Noes:

Ayes, 3 (Green, Herkes and Mizuno). Noes, none. Excused, 1 (Ward).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3109 and H.B. No. 3109, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS," passed Final Reading by a vote of 42 ayes, with Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

At 12:21 o'clock p.m., the Chair noted that H.B. No. 3109, SD 1, passed Final Reading.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai were excused.)

H.C.R. No. 117, (SD 1)
H.C.R. No. 194, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 117, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the

amendments proposed by the Senate to H.C.R. No. 117, and H.C.R. No. 117, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES, LAND DIVISION, TO ASSEMBLE VARIOUS STATE, COUNTY, AND COMMUNITY AGENCIES TO MEET AND DEVELOP A HANAPEPE SALT POND RESOURCE MANAGEMENT PLAN," was Adopted, with Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

H.C.R. No. 194, S.D. 1:

Representative M. Oshiro moved that H.C.R. No. 194, SD 1, be Adopted, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of H.C.R. 194 which requests the U.S. Navy to clear the coastline of lower Waipahu that is under its jurisdiction from invasive plant-life and excessive foliage for safety and aesthetic purposes. I am concerned with what we're asking the Navy to do. Requesting them to "clear" the area from invasive plant-life and excessive foliage may be asking them to do something they cannot do. I think we need to define "clear". I do support cleaning the area and ensuring the Navy does their part in maintaining a presentable appearance.

"Rainbow Bay is an example in my district where the Navy has done the responsible thing by trimming the mangrove and cleaning the area, making it aesthetically pleasing to look at. The Navy was restricted from completely removing the mangrove in the bay due to wildlife and eco-system concerns. Uprooting the plants would disrupt the habitat for fish and other wildlife of the bay. Before we send this type of request to Washington, we should make sure we have our ducks in a row. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.C.R. No. 194, and H.C.R. No. 194, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE U.S. NAVY TO CLEAR THE COASTLINE OF LOWER WAIPAHU THAT IS UNDER ITS JURISDICTION FROM INVASIVE PLANT-LIFE AND EXCESSIVE FOLIAGE FOR SAFETY AND AESTHETIC PURPOSES," was Adopted, with Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, Souki and Wakai being excused.

Representative Meyer rose, stating:

"Mr. Speaker, I'm rising on a point of personal privilege. I noticed that four of our Members have been absent from the Chamber because they've gone a trip to the Philippines that was paid for by Hawaiian Airlines. I assume they asked you if this was ethical?"

The Chair responded, stating:

"Yes, and they did get a ruling and response from the Ethics Commission."

Representative Meyer: "I'm troubled because we have bills before us that deal with the airlines. One that would exempt fuel from the 4 percent excise, and another that would possibly give some loans. It seems that by taking these trips they're somewhat beholden to the airlines."

Speaker Say: "And you are personally aggrieved by the four individuals going on the trip?"

Representative Meyer: "Well I mean, I have read some accounting of it."

Representative B. Oshiro rose to a point of order, stating:

"Point of order. Mr. Speaker I believe the current speaker is out of order. That does not constitute a personal privilege under Masons Manual of the Legislative Procedures, section 222. It says, 'Questions affecting the rights, reputation and conduct of Members of the body in their respective capacity are questions of personal …"

Representative Meyer: "Mr. Speaker, I am concerned about the reputation of the body."

Speaker Say: "Representative Meyer would you let …"

Representative B. Oshiro: "May I continue? Under section 223 it says, 'Merely criticizing another Member's act in the House does not constitute a question of personal privilege.' Thank you very much."

Representative Meyer: "Mr. Speaker, I am not criticizing the action. I'm concerned about how this looks to our body, as much as I'm concerned about what it looks like for the four Members that went on the trip from the Senate.

"The airfare should be fairly expensive if they had to pay for it. One of the Senators said he would characterize it as a public/private partnership. I didn't know whether the House had agreed to pay for lodging, or for ground transportation, or if everything is on Hawaiian Airlines. I don't know. I know these things come up, but the fact that we have almost like emergency legislation that came up after Aloha Airlines had to give up their business here, Hawaiian Airlines will benefit from the bills that we're considering and that's a concern to me. And that's why I'm just bringing that up. Thank you."

Representative Waters rose to a point of order, stating:

"Point of order. Just to remind Members that the previous speaker voted against ethics reform, Senate Bill 945."

Representative Thielen rose, stating:

"Mr. Speaker, I rise personally aggrieved by that. I voted against that bill because it was a direct hit at our wonderful physician that would have been prevented…"

Speaker Say: "Representative Thielen. Representative Thielen, you are out of order."

Representative Thielen: "I will direct the remarks more to my personally being aggrieved, Mr. Speaker.

"Mr. Speaker there are a number of us in this body that voted against that measure because we looked at that bill, as amended at the last moment in the Judiciary Committee. We looked at it as an attack upon another Member. It would have prevented him from practicing his profession, which is a medical profession, and serving in the Legislature. That was the purpose of our no vote. Thank you."

Speaker Say: "Representative Meyer, for what purpose do you rise?"

Representative Meyer: "To rebut the Chair of Judiciary. I voted no on the ethics bill because it had nothing to do with this type of thing.

"One was to take care of people hiring their relatives. That didn't even do the job because it exempted anybody that's doing that now as long as that relative had been on the payroll for 12 months. And the other part of it, this $10,000 threshold of accepting State money on a contract. I felt that was just aimed at one person. What about the people that are maybe earning $8,000 or $6,000 or $5,000? We are all part-time legislators, and most of the people in this Chamber must

work at something besides being a legislator. It doesn't relate to this complaint that I have. Thank you."

Speaker Say: "Representative Meyer, if you want to file a complaint on the four Members that have gone on this particular trip, you may submit it to the Committee, the Standards of Conduct Committee. And for the Members of the House, your four Members did submit a request to me to be allowed to travel to the Philippines as part of a delegation made up of business executives, the media and our Senate counterparts."

Representative Meyer: "Well, another part of it that bothers me is this is a very busy time during the Legislative Session, and Conference Committees have already started. And in the Senate there were three Chairmen that went ..."

Speaker Say: "Representative Meyer, the Chair has nothing to do with the Senate's operations."

Representative Meyer: "I realize that."

Representative Takai rose to a point of information, stating:

"Point of information, Mr. Speaker. I think you need to provide us with guidance in this Chamber, as to what constitutes a point of personal privilege. I think discussions like this need to be spelled out. I think there is a potential for abuse. I'm not saying that this is abusing it, but I just think that we need, as a body, some guidelines. Because I think we're slipping into what the other Chamber is doing regarding points of personal privilege, Mr. Speaker. Thank you."

LATE INTRODUCTION

The following late introduction was made to the members of the House:

Representative Sagum introduced from the Hawaii National Guard, Mr. Teddy Daligdig and Mr. Zenon Wong from the Island of Kauai.

ANNOUNCEMENTS

Representative Green: "Thank you, Mr. Speaker. I just wanted to announce that today is Massage Therapy Day at the Capitol, and we have some nice volunteers here providing that service, particularly when people make generous donations to the Foodbank. It's from 1:00 to 5:00 today on the Second and Fourth floors. Thank you, Mr. Speaker. Given that it does seem like there's a lot of stress in the Chamber, this may be a great opportunity for all of us."

Representative Thielen: "Thank you Mr. Speaker. I wanted to thank the Representative from District 18, the Niu Valley area for giving us an Earth Day printout. I think that's very helpful.

"For the Members that forgot about Natural Fiber Aloha Friday, there's an opportunity again next week. The real Earth Day is on Tuesday and I would hope that at least under a jacket, our male colleagues would be wearing natural fibers like our colleague from District 21 is doing today. He's come a long way. Thank you."

ADJOURNMENT

At 12:31 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon, Monday, April 21, 2008. (Representatives Bertram, Brower, Cabanilla, Luke, Manahan, McKelvey, Nakasone, M. Oshiro, Souki and Wakai were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 18, 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 agreed to the amendments made by the Senate and passed House Bill 3109, SD 1 on Final Reading.

House Communication dated April 18, 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 agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 117, SD 1
H.C.R. No. 194, SD 1

FIFTY-FOURTH DAY

Monday, April 21, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:06 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Robert N. Herkes, after which the Roll was called showing all members present with the exception of Representatives Nakasone, M. Oshiro and Takamine, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. No. 310 through 312) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 310, informing the House that on April 18, 2008, the following bill was signed into law:

S.B. No. 3105, SD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC AGENCY MEETINGS." (ACT 020)

Gov. Msg. No. 311, informing the House that on April 18, 2008, the following bill was signed into law:

H.B. No. 3106, entitled: "A BILL FOR AN ACT RELATING TO GRADUATES OF FOREIGN ACUPUNCTURE PROGRAMS." (ACT 021)

Gov. Msg. No. 312, informing the House that on April 18, 2008, the following bill was signed into law:

S.B. No. 2258, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WIRELESS ENHANCED 911 BOARD." (ACT 022)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 684 through 692) were received and announced by the Clerk:

Sen. Com. No. 684, transmitting H.C.R No. 265, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO EXPLORE THE FEASIBILITY OF AND TO DEVELOP A PLAN THEREFOR RELOCATING THE KAPAA PUBLIC LIBRARY," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 685, transmitting H.C.R No. 276, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE UNIVERSITY OF HAWAII SCHOOL OF SOCIAL WORK DEDICATE ITS SCHOOL IN HONOR OF MYRON "PINKY" THOMPSON, BY CHANGING ITS NAME TO THE "MYRON THOMPSON SCHOOL OF SOCIAL WORK"," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 686, transmitting H.C.R No. 116, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AGRICULTURAL DIAGNOSTIC SERVICE CENTER, IN CONSULTATION WITH OTHER PUBLIC AND PRIVATE ENTITIES, TO CONDUCT A SURVEY OF THE INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY, AND ASSESS WHETHER THE HAWAII AGRICULTURE INFORMATION CENTER CAN MEET THOSE NEEDS," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 687, transmitting H.C.R No. 147, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 688, transmitting H.C.R No. 312, S.D. 1, 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," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 689, transmitting H.C.R No. 347, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," which was adopted by the Senate on April 18, 2008.

Sen. Com. No. 690, dated April 18, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolution:

S.C.R. No. 52, HD 2	"REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN."

Sen. Com. No. 691, dated April 18, 2008, informing the House that the Senate has, on April 17, 2008, reconsidered its action taken on April 4, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2159, HD 1	"RELATING TO PROFESSIONS."

Sen. Com. No. 692, dated April 18, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 2261, HD 2, SD 1	Senator Hooser discharged as Co-Chair. Senator Menor discharged as conferee; Added as Co-Chair.
H.B. No. 2505, HD 2, SD 2	Senator Hooser discharged as Chair; Added as conferee. Senator Menor discharged as conferee; Added as Chair.
H.B. No. 2507, HD 1, SD 2	Senator Hooser discharged as Chair; Added as conferee. Senator Menor discharged as conferee; Added as Chair.
H.B. No. 2550, HD 2, SD 2	Senator Hooser discharged as Chair; Added as conferee. Senator Menor discharged as conferee; Added as Chair.

H.B. No. 2843, HD 2, SD 2	Senators Gabbard, Hooser discharged as Co-Chairs. Seantors English, Menor discharged as conferees; Added as Co-Chairs.
S.B. No. 644, SD 3, HD 3	Senator Hooser discharged as Chair; Added as conferee. Senator Menor discharged as conferee; Added as Chair.
S.B. No. 2849, SD 1, HD 1	Senator Hooser discharged as Co-Chair. Senator Menor discharged as conferee; Added as Co-Chair.
S.B. No. 2850, SD 2, HD 2	Senator Hooser discharged as Co-Chair. Senator Menor discharged as conferee; Added as Co-Chair.

DEPARTMENTAL COMMUNICATION

The following departmental communication (Dept. Com. No. 73) was received by the Clerk and was placed on file:

Dept. Com. No. 73, dated April 17, 2008, from Marion M. Higa, State Auditor, transmitting their 2007 Annual Report.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Lee introduced 3rd grade students from Mililani Ike Elementary School and their teachers, Mr. Lance Nishimura, Mrs. Elizabeth Sillas, Mr. Shannon Tamashiro and Mrs. Jamie Ueyama; and chaperones, Mrs. Marya Prickett, Mrs. Jill Kyhos, Mrs. Erma Niimi, Mrs. Babette Lareau, Mrs. Tracy Aniya, Mr. Greg O'Blaney, Mrs. Cindy Uehara, Mrs. Karen Iha, Mrs. Kelli Behrend, Mr. Keith Mishiyama, Mrs. Ann Nakasato, Mrs. Sheri Tallman, Mrs. Mercid Ramos, Mrs. Jennifer Siracusa, Mrs. Rambaud and Mrs. Kenui.

Representative Nishimoto introduced his cousin, Mrs. Marya Takamori Prickett and her daughter, Miss Chloe Prickett of Mililani Ike Elementary School.

Representative Mizuno introduced Mr. Erwin Gabillo and Mr. Dionesio 'Buddy' Dayaganon, care home operators who were here for the Chronic Kidney Disease rally.

Representative Mizuno also introduced Ms. Mila Medallon of the Hawaii Coalition of Caregivers; Ms. Maria Etrata, President oof the Primary Care Providers; Ms. Lani Akee, President of the Adult Foster Home Association; Ms. Medy Delara, President of the Alliance of Residential Care Administrators; and all the care home operators, advocates, and clients who were seated in the gallery.

ORDER OF THE DAY

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that Senate Concurrent Resolution No. 8 was re-referred solely to the Committee on Human Services & Housing per Committee Referral Sheet No. 90 that was placed on your desk today. The Committee on Finance waived its referral to this measure and it is therefore appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on S.C.R. No. 8, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1733-08 in referring S.C.R. No. 8 to the Committee on Finance, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

ADOPTION

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.C.R. No. 8, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RESCHEDULE THE YEAR OF THE FAMILY CELEBRATION FROM 2008 TO 2009," was adopted, with Representative Nakasone being excused.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering a bill on Third Reading on the basis of a modified consent calendar. (Representative Nakasone was excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1778-08) recommending that S.B. No. 966, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 966, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS," passed Third Reading by a vote of 50 ayes, with Representative Nakasone being excused.

S.B. No. 966 passed Third Reading in the following form:

S.B. No. 966

A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE V, SECTION 1, OF THE HAWAII CONSTITUTION, TO CHANGE THE AGE QUALIFICATION FOR THE OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR FROM THE AGE OF THIRTY YEARS TO THE AGE OF TWENTY-FIVE YEARS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that amending the Constitution of the State of Hawaii to allow Hawaii residents, twenty-five years and older, to be a candidate for and hold the office of governor or lieutenant governor will inspire Hawaii's young people to participate in the leadership process. There are many outstanding, qualified, and experienced candidates under thirty who are unable to run for the

office of governor or lieutenant governor because of the current arbitrary age restriction of thirty years.

While there are many successful entrepreneurs, military leaders, and elected officials who are under the age of thirty, young people are generally more disillusioned with government, and feel they are excluded and are not a part of the process. Lowering the age to twenty-five for Hawaii's top elected officials will inspire young people, who will realize the door is open and the opportunity is there for them to represent our state as governor or lieutenant governor.

The legislature further finds that a twenty-five year old, according to the United States Constitution, is qualified to run for and be elected to Congress, and therefore has the power to declare war, sending hundreds of thousands of American sons and daughters into combat, risking their lives. Thousands of Hawaii soldiers of all ages recently returned from Iraq, and many of these returning veterans are young people who feel inspired from the experience to serve Hawaii in a leadership position.

The purpose of this Act is to propose an amendment to article V, section 1, of the Constitution of the State of Hawaii to reduce the age qualification for the office of governor from thirty years to twenty-five years. This amendment will also reduce the age for the lieutenant governor, as the qualifications are the same for both offices, as stated in article V, section 2.

SECTION 2. Article V, section 1, of the Constitution of the State of Hawaii is amended to read as follows:

"THE EXECUTIVE
ESTABLISHMENT OF THE EXECUTIVE

Section 1. The executive power of the State shall be vested in a governor. The governor shall be elected by the qualified voters of this State at a general election. The person receiving the highest number of votes shall be the governor. In case of a tie vote, the selection of the governor shall be determined as provided by law.

The term of office of the governor shall begin at noon on the first Monday in December next following the governor's election and end at noon on the first Monday in December, four years thereafter.

No person shall be elected to the office of governor for more than two consecutive full terms.

No person shall be eligible for the office of governor unless the person shall be a qualified voter, have attained the age of [~~thirty~~] twenty-five years and have been a resident of this State for five years immediately preceding the person's election.

The governor shall not hold any other office or employment of profit under the State or the United States during the governor's term of office."

SECTION 3. The question to be printed on the ballot shall be as follows:

"Shall the age qualification for the office of governor and office of lieutenant governor be reduced from thirty years of age to twenty-five years of age?"

SECTION 4. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 5. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

At 12:16 o'clock p.m., the Chair noted that S.B. No. 966 passed Third Reading.

STANDING COMMITTEE REPORTS

Representatives Evans and Sonson, for the Committee on Public Safety & Military Affairs and the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1929-08) recommending that S.C.R. No. 102, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 102, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENTS OF PUBLIC SAFETY AND HUMAN RESOURCES DEVELOPMENT TO INCREASE THE SALARIES AND IMPROVE THE BENEFITS THAT ARE PROVIDED TO DEPUTY SHERIFFS," was adopted, with Representative Nakasone being excused.

Representative Evans, for the Committee on Public Safety & Military Affairs presented a report (Stand. Com. Rep. No. 1930-08) recommending that S.C.R. No. 125, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 125, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, on Stand. Com. 1930-08, while I appreciate the body moving this Resolution forward, I share the same concerns as the Department of Public Safety. So I will vote with reservations."

Representative Pine rose to speak in opposition to the measure, stating:

"I'm voting in opposition. I've had unfortunate life experiences to know many victims, either friends or family members. And seeing all the things they go through with the court system, I can attest from their life experiences that it's very hard to get a conviction for various different crimes from petty theft, stealing of a car, assault, and actual murder. And I just simply, because of that experience, cannot support anything that would allow any prisoner to get out early, because from these experiences, it's hard just to get a conviction."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker, I wish to speak in favor. I just want to advise the Members that this is merely to request that they should look into the possibility. It's not final. We're just going to look into the possibility of a reduction in sentences. Thank you, very much."

Representative Thielen rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. When this Resolution came about from a visit to eastern Kentucky where we have 600 women prisoners there, 400 are Kentuckian and about 200 are from Hawaii. Kentucky has an early earned-time program and the warden and I had a discussion about it. I think people need to understand that this is for non-violent, possibly drug-related programs, people that are non-violent, that if they work their program and they show good behavior.

"For example, let's say you're in for 10 years. If you work your drug treatment programs, you get involved in the work lines, you never get in trouble, you never get locked down, you never talk back, you're like a good citizen for example, it's like your good behavior gives you 'earned time', as they call it. It's used in some other states.

I'm not saying it's perfect, but I think it's something we need to explore because we need to teach people good behavior patterns.

"There are consequences in prison right now. If you act badly, they have what they call the Adjustment Committee. If you act badly, you get put in lockdown. Then, if you go before the Hawaii Parole Authority and they say you acted badly, basically your sentence can be extended. So if you act badly there is a consequence.

"This is about if you act well then there is also a consequence. So it's trying to encourage people to have good behavior, and set goals, and become good citizens. So I think it's worthy of us having a study, and look at what other States do, and if it works, or if it doesn't work. Thank you."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in strong support, Mr. Speaker. I'm a taxpayer."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on this Resolution.

"This resolution is requesting the Department of Public Safety to research and study early parole eligibility programs that reduce the minimum period of time that Hawaii inmates must wait to become eligible for parole. Mr. Speaker, I do not think this bill is necessary. The women's prison in Kentucky already has an early eligibility parole program. I am also concerned that the Resolution, as written, may also lead to prisoners who have committed murder or violent crimes being released early.

"I believe in positive incentives and that is what early eligibility for parole would be, but I don't think a prisoner simply doing what is required should be given brownie points. They should be spending time doing extra services to gain extra points. Mahalo."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations on S.C.R. 125 which requests the Department of Public Safety to research and study early parole eligibility programs that reduce the minimum period of time that Hawaii inmates must wait to become eligible for parole.

"I believe it is important for us to look at the big picture when addressing the issue of housing prisoners. Housing prisoners has been a challenging responsibility with increasing expenses that we have not been able to fund.

"In order to get a handle on our spending in the area, we need to stop the revolving door of our prison system. Rehabilitating a prisoner and in some cases instilling hope will be one of the few ways to make a dent in this population. I would like to reiterate that I feel strongly about prisoners fulfilling the terms of their sentences, but remain hopeful and open that there is a better solution than what is currently in place.

"There are other ways to incentivize or motivate a prisoner. The early release program described in this bill opens up Public Safety and our State taxpayers to increased costs and liability. There is a system in place for Public Safety to address this through the parole board. In order to make it work, Public Safety needs to change their way of thinking. Thank you, Mr. Speaker."

Representative Sonson rose to speak in support of the measure, stating:

"Just a few words in support. I attended the hearing on this particular Resolution. I was really impressed by the testimony that I heard from inmates, or former inmates. They have a view that needs some clarification, I think, for this body. To understand what's before us, we have to go beyond the fact that they're already there. We're not asking why they're there, for what reason, etc. It is at a point where we say now that they are there, so what now?

"What this Resolution is saying that we can leave it as is, and all you have is a punishing or a punitive kind of policy, which means that if you do something bad, you get punished. There is no other side. There's no policy of incentives to see if we can change to their behavior. The inmate was very clear that people hang around, tattoo themselves, and join gangs. He pointed to the fact that Hawaii inmates when they were here in Hawaii, they were kept busy by visits by their families and they had some hope of at least seeing their children the next Saturday or next visiting day. They looked forward to that and they behaved properly.

"This is not the behavior where they pick a fight or anything, but behavior training encourages that they attend classes. They become more productive. They look at ways how they can be productive in the program and where they can work outside in the community. They can learn a trade. They can learn some way to make a living when they are out. This Resolution will take a look at ways to incentivize people that are incarcerated to see whether or not they can make them behave in a certain way to be more productive, not just while they're in prison, but looking at their future when they are released back into our community.

"And make no mistake about it Members, they will be out. And if they are out because they joined a program such as this, they need to go to class to become a carpenter, to be an electrician, or some trade where they can be productive. Otherwise they will be back in prison if we don't incentivize that kind of behavior. So let's face it, we have a problem and it's getting bigger. We might as well find ways to incentivize individuals who may or may not do it otherwise. So please support this measure going forward. Thank you, Mr. Speaker."

Representative Pine rose to respond, stating:

"Just in rebuttal. No where in this piece of legislation does it say nonviolent crimes. It's for everything, including someone who murdered someone. Even in the testimony it talked about the possibilities, but this leaves it wide open. When a victim hears things like we should do more for prisoners, be nice to them, give them things to make them act nicer, it's really hard for victims to understand that language when they themselves were treated so horribly.

"Why don't we require them to go to classes? If they're not in classes then we should say, why not. They should be in classes. They should be required to go to classes. They should be required to go to anger management classes. They should be required to learn how to be nice when they get out of prison. And it should be very well known that they'll just go back to prison if they come back into our society and don't change. So our kindness toward prisoners is so insulting to the victims and their families."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with strong reservations on Standing Committee Report 1930-08. First of all, I want to thank the Chair for passing out this measure, and to the Speaker Emeritus,

as well as the Representative from Mililani regarding their comments in Committee with respect to the fact that this is a study. A study that is probably overdue.

"For me personally though, as we sat in the Committee for Public Safety and Military Affairs, I found two pieces of testimony that were extremely compelling, which in essence guided me in terms of voting with reservations on this measure.

"First and foremost, there was testimony from the Prosecuting Attorney's Office making it very clear that should we go down this road, let's say that in the event the study shows that we give early parole eligibility requirements. In the event a prisoner feels that he earned good time and should be given credit, and for whatever reason it contradicts and that the authorities say it did not, then he could file a lawsuit. So that's always a big red flag for me, any time we're increasing litigation.

"Moreover there was testimony from Public Safety, which talked about this earned credit for good behavior, and my point here is that in my mind we're giving them credit for doing what they're supposed to be doing, which is following the rules in prison. And so for people to say there are consequences to not behaving well, the point is what we're doing is we're giving credit to people for doing what they're already required to do. And that is why I spoke with reservations against this measure. Thank you very much, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 125, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF PUBLIC SAFETY TO RESEARCH AND STUDY EARLY PAROLE ELIGIBILITY PROGRAMS THAT REDUCE THE MINIMUM PERIOD OF TIME THAT HAWAII INMATES MUST WAIT TO BECOME ELIGIBLE FOR PAROLE," was adopted, with Representatives Ching, Pine and Thielen voting no, and with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1931-08) recommending that S.C.R. No. 67, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 67, SD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE LEGISLATURE TO DECLARE SEPTEMBER AS LANGUAGE ACCESS MONTH AND REQUESTING THE OFFICE OF LANGUAGE ACCESS TO CONDUCT A FEASIBILITY STUDY ON ESTABLISHING A STATEWIDE CENTRALIZED LANGUAGE ACCESS RESOURCE CENTER," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1932-08) recommending that S.C.R. No. 33, SD 1, 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 S.C.R. No. 33, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE EXECUTIVE OFFICE ON AGING, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO CONTINUE THEIR WORK ON THE LONG TERM LIVING INITIATIVE," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1933-08) recommending that S.C.R. No. 72, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 72, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF EDUCATION CONDUCT A FEASIBILITY STUDY TO EXAMINE VARIOUS IMPACTS OF A LONGER SCHOOL DAY AND INCREASING THE NUMBER OF DAYS IN THE SCHOOL YEAR ON KINDERGARTEN THROUGH GRADE TWELVE STUDENTS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1934-08) recommending that S.C.R. No. 74, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 74, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A WORKING GROUP TO DEVELOP GUIDELINES TO REDUCE THE TRUANCY RATE IN THE PUBLIC SCHOOL SYSTEM," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1935-08) recommending that S.C.R. No. 83, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 83, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I stand in support with reservations on SCR83, SD1.

"Mr. Speaker, this Resolution requests that a study be conducted by the Auditor to research the appropriate accountability structure for the Hawaii Teacher Standards Board. The Hawaii Teacher Standards Board (HTSB) was founded in 1995 and was given the job of licensing our public school teachers in July of 2002. Since its inception, the HTSB has been underfunded and understaffed which undoubtedly has impacted HTSB's ability to license teachers in timely fashion.

"To clarify, the HTSB staff of only seven is in charge of the licensing and relicensing of over 13,000 public school teachers, assisting out of State teachers with becoming licensed, all the while helping the entire teaching community to become National Board Certified. The HTSB has acknowledged that it has faced challenges including not being able to fill staff vacancies in an efficient manner, yet has taken measures to effectively improve upon the board's overall mission to help provide students in Hawaii with qualified teachers.

"The HTSB was proactive and recently contracted out a client relations survey to identify its effectiveness as a body and improve upon its current operations. The HTSB is also preparing a budget and activities to address survey findings and plans to continue administering the survey in order to stay current on client relations. The actions being taken by the HTSB will surely help to improve its value as a regulatory body for setting standards within which the greater teaching community must adhere to. Accordingly, I stand in support with reservations of this measure. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 83, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE APPROPRIATE ACCOUNTABILITY STRUCTURE FOR THE HAWAII

TEACHER STANDARDS BOARD," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1936-08) recommending that S.C.R. No. 94, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 94, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO BEGIN REBUILDING THE SCHOOL OF PUBLIC HEALTH BY 2012," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1937-08) recommending that S.C.R. No. 111, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 111, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PREPARE CURRICULAR MATERIALS THAT REFLECT THE HAWAII STANDARDS TO ASSIST A TEACHER WHO HAS TO TEMPORARILY TEACH IN AN AREA WHERE THE TEACHER IS NOT HIGHLY QUALIFIED," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1938-08) recommending that S.C.R. No. 114, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 114, SD 1, entitled: "SENATE CONCURRENT RESOLUTION CREATING AN ADVISORY GROUP TO RE-ENGINEER THE DEPARTMENT OF EDUCATION'S OFFICE OF HUMAN RESOURCES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1939-08) recommending that S.C.R. No. 115, SD 1, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 115, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONVENE A PILOT PROJECT TO ALLOW A SCHOOL COMPLEX TO IDENTIFY CRITICAL DEPARTMENT RULES AND POLICIES THAT IMPEDE EFFECTIVE DECISION-MAKING, ADMINISTERING, AND TEACHING AND TO OPERATE FREE OF THOSE RULES AND POLICIES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1940-08) recommending that S.C.R. No. 118, SD 1, HD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 118, SD 1, HD 1, be adopted, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 118, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION IMPROVING THE COMMUNITY'S UNDERSTANDING OF THE DEPARTMENT OF EDUCATION'S PROGRAMS AND SCHOOL EXPENSES INCLUDING A COMPARISON WITH OTHER STATES ON ADEQUACY OF FUNDS," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1941-08) recommending that S.C.R. No. 120, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 120, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAI‘I AND THE DEPARTMENT OF EDUCATION TO DEVELOP, OFFER, AND EXPAND PHILIPPINE LANGUAGE COURSES," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1942-08) recommending that S.C.R. No. 134, SD 2, HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 134, SD 2, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO "BUY LOCAL" AND TO IMPLEMENT AND DEVELOP FOOD WARE AND FOOD WASTE RECYCLING PROGRAMS TO ENCOURAGE SUSTAINABILITY," was adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1943-08) recommending that S.C.R. No. 180, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 180, entitled: "SENATE 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 adopted, with Representative Nakasone being excused.

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1944-08) recommending that S.C.R. No. 158, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 158, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO PURSUE A FINANCING AGREEMENT FOR THE CONSTRUCTION OF THE NEW KIHEI HIGH SCHOOL ON MAUI AND TO CONSIDER A DESIGN-BUILD APPROACH FOR THE SCHOOL," was adopted, with Representative Nakasone being excused.

Representative Sonson, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1945-08) recommending that S.C.R. No. 222, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 222, be adopted, seconded by Representative B. Oshiro.

Representative Ward rose to speak in opposition to the measure, stating:

"I rise in opposition to Stand Com. No. 1945 which is a study with the view to give incentive to grow government, Mr. Speaker. I think it's unnecessary to have something to convert these from temporary

into permanent civil service positions, even though it does say paraprofessionals and clerical.

"I think government, governors, and department heads need the flexibility to grow and shrink. That's how economies adjust to different things. Governments need to adjust in the same way. Even Japan that only had an economy that went up, actually now has layoffs. There's no permanent security in the Japanese government.

"I think we've got our examples. When we pass the bill for say, a Bottle Bill and suddenly, we don't need all the employees to count all the money in the Department of Health. I don't think we should have these people locked in forever.

"And I guess the most common example are for those of us who have station wagons, particularly old Volvos. If you're in Kauai or Hawaii Kai, sometimes we have a very heavy load we put the seats down, we load it up. And when the load is lighter we put the seats back up and we have people rather than cargo. I think government has to be under the same principle. We don't want to overload government with employees, and we don't want to have too few. So I think what this does is encourage it to load up, keep your seats down, keep the back of your station wagon full. I don't think that's the right way to run a railroad. Thank you."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this Resolution.

"This resolution is requesting State departments to convert exempt employees to civil service in accordance with Act 253, Session Laws of Hawaii 2000, and Act 300, Session Laws of Hawaii 2006.

"Senate Concurrent Resolution 222 is asking State departments to limit their flexibility in hiring new qualified staff. It is not always in the State's best interest to convert exempt employees to civil service positions. We must give our departments the flexibility they need to function efficiently. Sometimes it may be more beneficial for a State department to hire an exempt employee than hire for a civil service position due to the nature of the work the employee will be assigned to do. Each department needs to be able to expand and condense as necessary because circumstances change over the years. And for those reason, I will be voting no on this measure. Mahalo."

Representative Finnegan rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 222, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING STATE DEPARTMENTS TO CONVERT EXEMPT EMPLOYEES TO CIVIL SERVICE IN ACCORDANCE WITH ACT 253, SESSION LAWS OF HAWAII 2000, AND ACT 300, SESSION LAWS OF HAWAII 2006," was adopted, with Representatives Ching, Finnegan, Meyer and Ward voting no, and with Representative Nakasone being excused.

Representatives Ito and Morita, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1946-08) recommending that S.C.R. No. 77, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 77, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE PRESIDENT OF THE UNITED STATES TO PROCLAIM JUNE 8TH OF EVERY YEAR AS WORLD OCEAN DAY," was adopted, with Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1947-08) recommending that S.C.R. No. 4, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 4, entitled: "SENATE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF NON-EXCLUSIVE EASEMENT COVERING PORTION OF STATE SUBMERGED LANDS AT LAHAINA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING CONCRETE PILLARS AND IMPROVEMENTS PURPOSES," was adopted, with Representative Nakasone being excused.

Representative Ito, for the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1948-08) recommending that S.C.R. No. 210, 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 S.C.R. No. 210, HD 1, entitled: "SENATE CONCURRENT RESOLUTION APPROVING THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE," was adopted, with Representative Nakasone being excused.

Representative Green, for the Committee on Health presented a report (Stand. Com. Rep. No. 1949-08) recommending that S.C.R. No. 88, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 88, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO DEVELOP A PROTOTYPE MODEL OR GUIDELINES FOR SCHOOLS, COMMUNITY GROUPS. OR VOLUNTEER ORGANIZATIONS TO FOLLOW WHEN INSTALLING OR CREATING SHADED PLAY AREAS AT PUBLIC SCHOOLS," was adopted, with Representative Nakasone being excused.

Representatives Shimabukuro and Green, for the Committee on Human Services & Housing and the Committee on Health presented a report (Stand. Com. Rep. No. 1950-08) recommending that S.C.R. No. 124, SD 1, as amended in HD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 124, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MEDICAID-SPONSORED PROGRAMS," was adopted, with Representative Nakasone being excused.

At this time, the Chair announced:

"Members, on April 14, 2008, the Senate President and the Speaker of the House signed a memorandum authorizing the Senate Clerk and the House Clerk to process, transmit and receive, S.B. No. 69. The memorandum states, in pertinent part:

Please be advised that we have authorized an exception to the 2008 Legislative Timetable agreed upon and dated December 27, 2007.

The provision of continued quality healthcare insurance coverage for children, whose parent(s) or guardian(s) have been adversely

affected by the filing of bankruptcy by one of the State's local inter-island carriers is of importance to the people of the State of Hawaii.

"So Members, please note the 48-hour notice for Stand. Com. Rep. No. 1951-08."

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1951-08) recommending that S.B. No. 69, SD 2, HD 2, as amended in HD 3, pass Third Reading.

By unanimous consent, consideration of Stand. Com. Rep. No. 1951-08 on S.B. No. 69, SD 2, HD 3 was deferred and in accordance with Article III, Section 15 of the Constitution of the State of Hawaii, printed copies of S.B. No. 69, SD 2, HD 3, were made available to the members of the House.

CONFERENCE COMMITTEE REPORTS

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2400, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 1-08) recommending that S.B. No. 2400, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 1-08 and S.B. No. 2400, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," was deferred for a period of 48 hours.

Representative B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2784, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 2-08) recommending that S.B. No. 2784, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 2-08 and S.B. No. 2784, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," was deferred for a period of 48 hours.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representative Nakasone was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

H.B. No. 2085, HD 1, SD 2
H.B. No. 2238, HD 1, SD 1
H.B. No. 2460, SD 1
H.B. No. 2675, HD 2, SD 1
H.B. No. 2698, HD 3, SD 1
H.B. No. 2894, SD 1

At 12:32 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:33 o'clock p.m.

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

H.C.R. No. 114, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolution was taken from the Clerk's desk and the following action taken:

H.C.R. No. 114, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 114, and H.C.R. No. 114, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE CIVIL DEFENSE DIVISION OF THE DEPARTMENT OF DEFENSE TO CONDUCT A STUDY TO DETERMINE THE FEASIBILITY OF ALLOWING THE FACILITIES AT LUALUALEI, WHICH ARE OWNED BY THE UNITED STATES NAVY, TO BE USED AS AN EMERGENCY SHELTER FOR CIVILIANS," was Adopted, with Representative Nakasone being excused.

ANNOUNCEMENTS

Representative Herkes: "Thank you, Mr. Speaker. Please note that on page A of the Order if the Day, Conference Committee meetings, on House Bill 2408, the House has no Conferees. Thank you."

Representative Magaoay: "Thank you, Mr. Speaker. Members I invite all of you to our Rally of Life at 1:00 in the Rotunda. We have our speaker, Congressman Abercrombie. It's 1:00. I know a lot of you are busy, but if you could attend. Hopefully it'll take about a half hour, and I ask that all the Members of the Filipino Caucus to please attend as you will be recognized also. Thank you."

ADJOURNMENT

At 12:35 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, April 22, 2008. (Representative Nakasone was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 21, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 3, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2460, SD 1

House Communication dated April 21, 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 reconsidered its action taken in disagreeing to

the amendments made by the Senate, on April 8, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2675, HD 2, SD 1

House Communication dated April 21, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 2085, HD 1, SD 2
H.B. No. 2238, HD 1, SD 1
H.B. No. 2698, HD 3, SD 1
H.B. No. 2894, SD 1

House Communication dated April 21, 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 agreed to the amendments made by the Senate and has this day adopted House Concurrent Resolution No. 114, SD 1.

FIFTY-FIFTH DAY

Tuesday, April 22, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:07 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Ken Ito, after which the Roll was called showing all members present with the exception of Representatives Brower, Cabanilla, Herkes and Nakasone, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fourth Day was deferred.

GOVERNOR'S MESSAGE

The following message from the Governor (Gov. Msg. No. 313) was announced by the Clerk and was received for possible consideration at a later date:

Gov. Msg. No. 313, informing the House that on April 21, 2008, H.B. No. 3161, SD 3, was line item vetoed with a specific appropriation item stricken or reduced and her official statement of objections to that specific appropriation item contained in the bill, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 21, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 3161

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 3161, entitled "A Bill for an Act Making an Emergency Appropriation to the Hawaii Health Systems Corporation."

The purpose of this bill is to make an emergency appropriation in the amount of $25,000,000, for fiscal year 2007-2008, to the Hawaii Health Systems Corporation (HHSC) to ensure that HHSC can pay for the operation and provision of current levels of service at Leahi Hospital, Maluhia, Samuel Mahelona Memorial Hospital, Lana'i Community Hospital, Hilo Medical Center, Ka'u Hospital, Kona Community Hospital, Kohala Hospital, and Maui Memorial Medical Center.

This bill originally appropriated $14,000,000 for HHSC and did not include moneys for the Maui Memorial Medical Center. The Legislature amended it by adding section 4, which makes an additional appropriation of $11,000,000 for the Maui Memorial Medical Center, with expenditure of the money conditioned on whether the operating loan that was being negotiated by the Maui Memorial Medical Center did not close before April 4, 2008. The operating loan did not close until April 10, 2008; therefore, the section 4 appropriation of $11,000,000 will be effective. However, because the operating loan did close and the additional $11,000,000 appropriation for Maui Memorial Medical Center is no longer needed, this appropriation should now be deleted.

Section 16 of Article III of the State Constitution provides that, "[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same."

Therefore, pursuant to my line item veto authority, I have stricken out the $11,000,000 appropriation from section 4 at line 12 on page 2 of the bill by drawing a line through the $11,000,000 appropriation out of the general fund for fiscal year 2007-2008 for the Maui Memorial Medical Center and changing the amount to $0.

For the foregoing reasons, I am returning House Bill No. 3161 with the appropriation in section 4 totaling $11,000,000 in general fund appropriations for fiscal year 2007-2008, stricken out and reduced to $0.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

ORIGINAL

HOUSE OF REPRESENTATIVES
TWENTY-FOURTH LEGISLATURE, 2008
STATE OF HAWAII

H.B. NO. 3161 S.D. 3

A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.
4 SECTION 2. This emergency appropriation is necessary to
5 ensure that the Hawaii health systems corporation can pay for
6 operation and provision of current levels of service at Leahi
7 hospital, Maluhia, Samuel Mahelona memorial hospital, Lana'i
8 community hospital, Hilo medical center, Ka'u hospital, Kona
9 community hospital, Kohala hospital, and Maui memorial medical
10 center.
11 The purpose of this Act is to appropriate $25,000,000 in
12 general funds for fiscal year 2007-2008 to adjust accounts
13 payable remittances to no more than forty-five days from the
14 date of the invoice for Hawaii health systems corporation's
15 facilities in order to bring current accounts payable balances
16 that are due to essential vendors. This will allow delivery of
17 goods and services to these facilities to continue on a timely

2008-2000 HB3161 SD3 SMA.doc

Page 2

H.B. NO. 3161 S.D. 3

basis so that the facilities will be able to maintain operations.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $14,000,000 or so much thereof as may be necessary for fiscal year 2007-2008 for the Hawaii health systems corporation to pay accounts payable within forty-five days from the date of the invoice for Hawaii health systems corporation's facilities, excluding the Maui memorial medical center located in the Maui region of the Hawaii health systems corporation.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of ~~$11,000,000~~ #0 or so much thereof as may be necessary for fiscal year 2007-2008 for Maui memorial medical center; provided that the sum appropriated under this section shall only be expended if the operating loan that is being negotiated by Maui memorial medical center does not close prior to April 4, 2008.

SECTION 5. The sums appropriated shall be expended by Hawaii health systems corporation for the purposes of this Act.

SECTION 6. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or

2008-2000 HB3161 SD3 SMA.doc

Page 3

H.B. NO. 3161 S.D. 3

applications of the Act, which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 7. This Act shall take effect upon approval.

APPROVED this day of , 2008

GOVERNOR OF THE STATE OF HAWAII

2008-2000 HB3161 SD3 SMA.doc

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 693 through 698) were received and announced by the Clerk:

Sen. Com. No. 693, transmitting H.C.R No. 81, H.D. 1, entitled: "HOUSE CONCURRENT SUPPORTING THE DESIGNATION OF APRIL 6TH OF EVERY YEAR AS TARTAN DAY IN HAWAII," which was adopted by the Senate on April 21, 2008.

Sen. Com. No. 694, transmitting H.C.R No. 21, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," which was adopted by the Senate on April 21, 2008.

Sen. Com. No. 695, transmitting H.C.R No. 62, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF MEDICAL SURVEILLANCE SYSTEMS," which was adopted by the Senate on April 21, 2008.

Sen. Com. No. 696, transmitting H.C.R No. 93, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE PURPLE RIBBON AND PURPLE ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," which was adopted by the Senate on April 21, 2008.

Sen. Com. No. 697, transmitting H.C.R No. 138, H.D. 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," which was adopted by the Senate on April 21, 2008.

Sen. Com. No. 698, transmitting H.C.R No. 245, H.D. 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE ALOHA TOWER DEVELOPMENT CORPORATION, PARTICULARLY WITH REGARD TO ITS LAWSUITS RELATING TO ITS DEVELOPMENT CONTRACTS, PROJECTS, AND PROCUREMENT PRACTICES, AND THE JUSTIFICATION FOR ITS EXISTENCE," which was adopted by the Senate on April 21, 2008.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Manahan introduced the Aloha Aina Recycling Partners:

Mr. Bryan Collins with Pacific Biodiesel;
Mr. Roberto Corona with Interstate Battery Systems;
Mr. Ricky Tsue with Grace Pacific Corp.;
Mr. Joe Francher with the Hawaii Lions District 50;
Mr. Nik Nikolaidis with T&N Computer Recycling Services;
Mr. Mike Owens with Intrade Corporation; and
Ms. Rene Manshoo with Schnitzer Steel Hawaii.

Representative McKelvey introduced his friend, Mr. Gene Zarro of Kihei Public Charter School.

Representative Finnegan introduced Charter School administrators: Ms. Ipo Torio of Kanu I Ka Pono on Kauai; Ms. Heddy Sullivan of KANAKA, Kula Aupuni Niihau A Kahelelani Aloha on Kauai; Mr.

John Thatcher of Connections on Hawaii; Mr. Steve Hirakami of the Hawaii Academy of Arts and Science on Hawaii; Ms. Barbara Warner of Innovations Public Charter School; Mr. Gene Zarro of Kihei Public Charter School; and Mr. David Rizor of Volcano School of Arts and Sciences on Hawaii.

ORDER OF THE DAY

STANDING COMMITTEE REPORT

Representatives Shimabukuro and Magaoay, for the Committee on Human Services & Housing and the Committee on Legislative Management presented a report (Stand. Com. Rep. No. 1952-08) recommending that S.C.R. No. 200, SD 1, be adopted.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 200, SD 1, be adopted, seconded by Representative B. Oshiro.

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like a ruling on a potential conflict of interest. At my law firm we represent HCIL in matters, but I am screened off from this and I am not working on a case. Thank you, very much," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 200, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE HAWAII CENTERS FOR INDEPENDENT LIVING," was adopted, with Representatives Herkes, Nakasone, and M Oshiro being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2454, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 3-08) recommending that S.B. No. 2454, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 3-08 and S.B. No. 2454, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," was deferred for a period of 48 hours.

Representatives Ito and Yamane, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2464, HD 1, presented a report (Conf. Com. Rep. No. 4-08) recommending that S.B. No. 2464, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 4-08 and S.B. No. 2464, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," was deferred for a period of 48 hours.

Representatives Yamane, Herkes and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3030, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 5-08) recommending that S.B. No. 3030, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 5-08 and S.B. No. 3030, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," was deferred for a period of 48 hours.

SUSPENSION OF RULES

Representative Caldwell moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative B. Oshiro and carried. (Representatives Herkes, Nakasone, and M Oshiro were excused.)

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Herkes, Nakasone, and M Oshiro were excused.)

H.B. No. 2085, H.D. 1, S.D. 2
H.B. No. 2238, H.D. 1, S.D. 1
H.B. No. 2460, S.D. 1
H.B. No. 2675, H.D. 2, S.D. 1
H.B. No. 2698, H.D. 3, S.D. 1
H.B. No. 2894, S.D. 1

Representative Thielen rose to a point of inquiry, stating:

"Mr. Speaker, just a point of inquiry. Underneath the bill, House Bill 2238, it states, 'Pass Final Reading.'"

The Chair responded, stating:

"Yes, that motion will be taken up after we move to agree, which I stated to the Minority Leader. So there are three motions that this body is addressing at this point in time: the Consent Calendar, the Motion to Agree to the Senate amendments. And the third motion will be Pass Final Reading. At that point you'll get the opportunity of speaking. "

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 2085, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2085, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Tsuji, Yamashita and Hanohano). Noes, none. Excused, 2 (Brower and Ward).

Representative Caldwell moved that H.B. No. 2085, HD 1, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have voted no in the past on this bill. I think that the Senate version is a little bit better than the House. I want to register some reservations and I will ask to have them submitted in the Journal. Thank you."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in support with reservations on HB2085.

"This bill was supposed to improve the effectiveness of the Agribusiness Development Corporation known as the ADC, by expanding the fields of expertise that the Board members are supposed to possess. I question the premise that somehow the present Board members are lacking the needed knowledge to be effective.

"The ADC has been very good at coordinating and administering programs to assist Agricultural enterprises to transition from plantation operations to other farming enterprises. They have also provided very credible leadership for agricultural operations in the areas of development, financing, marketing analyses and business acumen. To put it bluntly, adding an additional laundry list of areas of knowledge that overlap those already itemized in the present law is really redundant and accomplishes nothing.

"Section 3 of the bill gives the ADC the job of developing a five year strategic plan, to be presented to the Legislature prior to the 2009 Regular Session, but appropriates no funds for this additional task. If we really want to improve the effectiveness of the ADC we should give them more funds and staff to get their job done. Mahalo."

Representative Ching rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ching's written remarks are as follows:

"Thank you, Mr. Speaker. I stand with reservations. I support the intent of H.B. 2085 which addresses Hawaii's agricultural needs.

"This bill would require a portion of the Agribusiness Development Corporation (ADC) Board members to have experience relating to wholesale, retail, and distribution of agricultural products, packaging, processing, transportation and shipping of such products and experience in venture capital pertaining to such products. While this measure may allow more experience and expertise on the Board, making this a statutory requirement for board members would limit the spectrum of potential Board members, who may have other important qualities and expertise to contribute. We must be mindful that this legislation imposes numerous restrictions and requirements that may be cumbersome for prospective Board members to meet, and which may adversely affect the ADC Board."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2085, H.D. 1 and H.B. No. 2085, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION," passed Final Reading by a vote of 49 ayes, with Representatives Herkes and Nakasone being excused.

H.B. No. 2238, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2238, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Shimabukuro, Rhoads and Awana). Noes, none. Excused, 1 (Ward).

Representative Caldwell moved that H.B. No. 2238, HD 1, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, I rise in opposition of HB 2238, HD 1, SD 1. Mr. Speaker, this bill requires public housing projects and affordable housing available for households within incomes at or below 140 percent of the median family income affordable housing funded by county or State funds, to remain affordable in perpetuity.

"Mr. Speaker, this bill as currently written may affect HPHA's future endeavors as HPHA is seeking to sell its nonpublic housing units for inventory at Wilikina Apartments in Wahiawa and Banyan Street Manor in Palama to nonprofits who will continue providing the units as affordable units. For Wilikina Apartments, HPHA owns the land and can support affordable housing and perpetuity. For Banyan Street Manor, the City owns the land. Proceeds will be used to reduce operating deficits or put into capital repairs. HPHA also intends to explore re-development of public housing to include affordable and market units as other housing authorities countrywide have done, or least maintaining the current number of public housing units.

"The State is heavily challenged to maintain the existing inventory of federal and State public housing. The Public Housing Authority was supposed to come forward with year with an emergency appropriation request is to address the shortfall of $10 million needed for operating expenses on these projects. As public housing facilities age, it has been increasingly difficult to keep projects in good repair given limited government resources. We must look beyond government and create public, private partnerships to preserve affordable housing.

"A balanced housing policy that includes incentives for private sector investment in affordable rental housing is needed. This bill would prohibit mixed-use development for affordable housing projects, which is an attractive mechanism to finance such projects for developers. Affordability requirements that extend beyond the usefulness of the property, such as perpetuity, is not practical and may instead serve as a disincentive to the development of affordable housing. Thank you, Mr. Speaker."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just wanted to respond to those previous comments that were made. I know those are all valid points, but I think that really we as a body need to take a strong position here and I really want to avoid future Kukui Gardens episodes. I know that the words, 'public/private partnership' are very attractive. It could end up being a euphemism for another Kukui Gardens where we're looking at tenants who really can't afford to be put elsewhere being put in a position where they have to move when the affordability requirement ends.

"There are opportunities to work and to partner with non-profits and private groups that can do perpetuity such as the community land trusts, which many of them are popping up all over our State and they do wonderful work very similar to what the environmental groups when they take land into perpetuity for environmental purposes. The community land trusts take the land into perpetuity for affordable housing.

"I just wanted to add that Partners in Care has added this bill to their list of the measures they support. Partners in Care is a coalition of homeless service providers in our State that have a very strong voice in this area. So I really urge the Members to support this measure. We really do need to look at giving HPHA the resources they do need to accomplish their R&M. Thank you."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you. In opposition, Mr. Speaker. I'm voting no because I understand that this measure would put all State and county low-income and affordable housing in that category forever, even if it is sold to a party that intended to retain it as low-income or affordable. This bill would discourage private entities from owning or purchasing public housing and therefore limit the growth of much needed housing. Thank you, very much."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"This bill requires public housing projects and affordable housing funded by county or State funds to remain affordable in perpetuity. Mr. Speaker, I understand the need for affordable housing, but this bill limits the flexibility for future developers who want to build affordable housing because it requires every affordable housing unit to remain affordable in perpetuity. Developers of affordable housing have problems right now penciling out projects with a certain percentage of affordable units and if we add another restriction on affordable housing, it will make developers shy away from building any affordable units. We should offer developers incentives to build affordable housing, not more restrictions. We are desperately in need of more affordable housing and I am afraid the passage of this bill will take us many steps backwards to where we don't want to be. Mahalo."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2238, H.D. 1 and H.B. No. 2238, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING," passed Final Reading by a vote of 45 ayes to 4 noes, with Representatives Ching, Finnegan, Marumoto and Meyer voting no, and with Representatives Herkes and Nakasone being excused.

H.B. No. 2460, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2460, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, McKelvey and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2460 and H.B. No. 2460, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 49 ayes, with Representatives Herkes and Nakasone being excused.

H.B. No. 2675, H.D. 2, S.D. 1:

Representative Caldwell moved that H.B. No. 2675, HD 2, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak in support of House Bill 2675. This bill would set up a task force for a study on medical marijuana. Mr. Speaker, before some people may become very concerned about this bill, I would like to just read some excerpts from the Mayo Clinic. The Mayo Clinic as people know, is a nonprofit medical practice dedicated to the diagnosis and treatment of virtually every type of complex illness and it has looked at medical marijuana and noted the following:

Treatment of pain. Marijuana can improve mild to moderate nausea caused by cancer chemotherapy. Marijuana can reduce nausea and weight loss in people with AIDS. Glaucoma is the third leading cause of blindness in the U.S. marked by increased pressure in the eyeball which can lead to vision loss. Marijuana can reduce pressure in the eyes. Pain medication. Marijuana may work, as well in treating cancer as codeine. Marijuana appears to enhance the effects of opiate pain medications to provide pain relief at lower dosages. Multiple sclerosis. Marijuana may treat tremors, muscle spasms and pain of multiple sclerosis. Marijuana may protect nerves from the kind of damage that occurs during M.S. It is part of the Mayo Clinic's mission to serve as a reliable source of health information.

"Thank you."

Representative Bertram rose to speak in support of the measure, stating:

"I'm rising in support. I very much appreciate this being heard and recommended for Final Reading because it is something that we've been working on for a long time. We were the first State to legislatively allow for the medial use of cannabis, and it's interesting that we took this long to actually revive and take a look at this again.

"This actually is a report that was released from the 2004 Legislature, a report from LRB that actually said that we need to look at the issue of distribution. They made a nice report. I hope everybody gets to take a look at and it is something that we do need to address. It is for the patients.

"As they pointed out in the report, there are two different types of cannabis use, there's legal and illegal. If somebody has a license it's legal. In this State it is legal and we need to now look at those patients, these people who are legally using cannabis and help them to get this medicine in a practical, rational, reasonable and safe way. So I really appreciate that this is coming through, and I hope we come back with a great report next year."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2675, H.D. 2 and H.B. No. 2675, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MEDICAL MARIJUANA," passed Final Reading by a vote of 44 ayes to 5 noes, with Representatives Ching, Finnegan, Meyer, Pine and Ward voting no, and with Representatives Herkes and Nakasone being excused.

H.B. No. 2698, H.D. 3, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2698, H.D. 3, on the following showing of Ayes and Noes:

Ayes, 3 (Shimabukuro, Waters and Rhoads). Noes, none. Excused, 1 (Pine).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2698, H.D. 3 and H.B. No. 2698, H.D. 3, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO COURT-APPOINTED COUNSEL AND GUARDIANS AD LITEM IN FAMILY COURT," passed Final Reading by a vote of 49 ayes, with Representatives Herkes and Nakasone being excused.

H.B. No. 2894, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2894, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, McKelvey and Marumoto). Noes, none. Excused, 1 (Cabanilla).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2894 and H.B. No. 2894, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Takai voting no, and Representatives Herkes and Nakasone being excused.

At 12:29 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2085, H.D. 1, S.D. 2
H.B. No. 2238, H.D. 1, S.D. 1
H.B. No. 2460, S.D. 1
H.B. No. 2675, H.D. 2, S.D. 1
H.B. No. 2698, H.D. 3, S.D. 1
H.B. No. 2894, S.D. 1

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Herkes and Nakasone were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Herkes and Nakasone were excused.)

H.B. No. 1402, HD 2, SD 2
H.B. No. 1978, HD 1, SD 1
H.B. No. 2009, SD 1
H.B. No. 3140, SD 2
H.B. No. 3197, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative B. Oshiro and carried. (Representatives Herkes and Nakasone were excused.)

H.C.R. No. 116, (SD 1)
H.C.R. No. 126, HD 1, (SD 1)
H.C.R. No. 147, HD 1, (SD 1)
H.C.R. No. 312, (SD 1)
H.C.R. No. 347, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 116, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 116, and H.C.R. No. 116, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII AGRICULTURAL DIAGNOSTIC SERVICE CENTER, IN CONSULTATION WITH OTHER PUBLIC AND PRIVATE ENTITIES, TO CONDUCT A SURVEY OF THE INFORMATION NEEDS OF HAWAII'S AGRICULTURAL INDUSTRY, AND ASSESS WHETHER THE HAWAII AGRICULTURE INFORMATION CENTER CAN MEET THOSE NEEDS," was Adopted, with Representatives Herkes and Nakasone being excused.

H.C.R. No. 126, HD 1, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 126, HD 1, and H.C.R. No. 126, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO JOINTLY STUDY THE FEASIBILITY OF INTEGRATING REHABILITATION PROGRAMS FOR STUDENTS WITH ANGER PROBLEMS," was Adopted, with Representatives Herkes and Nakasone being excused.

H.C.R. No. 147, HD 1, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 147, HD 1, and H.C.R. No. 147, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING THE INSTALLATION AND USE OF SMOKE DETECTORS IN EVERY HAWAII HOME BY 2010," was Adopted, with Representatives Herkes and Nakasone being excused.

H.C.R. No. 312, SD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 312, and H.C.R. No. 312, S.D. 1, 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 Adopted, with Representatives Herkes and Nakasone being excused.

H.C.R. No. 347, SD 1:

Representative M. Oshiro moved that H.C.R. No. 347, SD 1, be Adopted, seconded by Representative B. Oshiro.

Representative Bertram rose to speak in support of the measure, stating:

"I rise in strong support on HCR No. 347. We appreciate this measure. It was Snorkel Bob's big push to try to see this happen in the Year of the Reef, and recognizing this is an important component to reefs and the fish that live on it. It's really great that we're actually recognizing now that we need to look at all aspects of the reef, as well as our marine resources. This is a very important one, so thanks very much. And I support it."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.C.R. No. 347, and H.C.R. No. 347, S.D. 1, entitled: "HOUSE

CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO PROCEED EXPEDITIOUSLY WITH THE ADOPTION OF RULES TO REGULATE THE ORNAMENTAL REEF FISHERY INDUSTRY IN SOUTH MAUI AND KANEOHE BAY," was Adopted, with Representatives Herkes and Nakasone being excused.

ANNOUNCEMENTS

Representative Evans: "Thank you, Mr. Speaker. Today is Equal Pay Day. Equal Pay Day was originated by the National Committee on Pay Equity in 1996 and red is worn on Equal Pay Day to symbolize how far women are in the red with their pay. Observed on a Tuesday in April, Equal Pay Day symbolizes how far into the year a woman must work on average to earn as much as a man earned the previous year. In fact, in general, Tuesday is the day on which women's wages catch up to men's wages from the previous week.

"The gap between men's and women's wages is real and well documented. We've come a long way. It's hard to believe, but in 1932 the Federal Economic Act was passed to ban the wives of federal employees from holding government positions. The Act also declared that women with employed husbands be first on the list for firing. Two years later in 1935, the National Recovery Act officially required women who held jobs with the government to receive 25 percent less pay than men in the exact same job. The Equal Pay Act of 1963 was supposed to rectify this disparity. I'm pleased to note there has been progress.

"Women's wages have risen in all states since 1989. Women with four-year or graduate college degrees have almost achieved parity with men. Today Hawaii ranks 12th in states narrowing the gap and received an honorable mention with the Institute for Women's Policy Research in 2006-2007 for our State's progress in addressing the equal pay issue.

"In 2005, the State Legislature, our Hawaii State Legislature, passed Act 35 promoting equal pay for equal work in Hawaii. But 40 years after the Equal Pay Rights Amendment we are not there yet. Today millions of women still struggle to make ends meet while doing the exact same jobs as men under similar working conditions with equal skilled effort and responsibilities while earning less.

"Since 1995 the poverty rate among women in 15 states has increased. At our present rate of progress, it will take 50 years for women to achieve earnings parity with men. The work to solve inequity must continue and the message to the next generation of women wage earners is: don't rest on the work done by those before you. Working toward equal pay is the right thing to do. Thank you."

Representative Thielen: "Thank you, Mr. Speaker. Today is also the actual Earth Day, and as we go into Conference Committees let's concentrate on what we can do in those Conference Committees to protect the Earth. Thank you."

Representative Ward: "Mr. Speaker, I'm compelled to rise as the only male in the Republican Caucus to acknowledge the good Representative from the Big Island that said that there is equity and it's coming. I want you to know that in my Caucus, it's overwhelmingly equal, and overwhelming estrogen oriented. Thank you, Mr. Speaker."

ADJOURNMENT

At 12:38 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Wednesday, April 23, 2008. (Representatives Herkes and Nakasone were excused.)

HOUSE COMMUNICATIONS

House Communication dated April 22, 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 made the following change to the conferees on the following measure:

S.B. No. 2997, SD 1, HD 1	Discharged all House Conferees.

House Communication dated April 22, 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 agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 2085, H.D. 1, S.D. 2
H.B. No. 2238, H.D. 1, S.D. 1
H.B. No. 2460, S.D. 1
H.B. No. 2675, H.D. 2, S.D. 1
H.B. No. 2698, H.D. 3, S.D. 1
H.B. No. 2894, S.D. 1

House Communication dated April 22, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 1402, HD 2, SD 2
H.B. No. 1978, HD 1, SD 1
H.B. No. 2009, SD 1
H.B. No. 3140, SD 2
H.B. No. 3197, SD 1

House Communication dated April 22, 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 agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 116, SD 1
H.C.R. No. 126, HD 1, SD 1
H.C.R. No. 147, HD 1, SD 1
H.C.R. No. 312, SD 1
H.C.R. No. 347, SD 1

FIFTY-SIXTH DAY

Wednesday, April 23, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 12:09 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Representative Jon Riki Karamatsu, after which the Roll was called showing all members present with the exception of Representatives Nakasone and M. Oshiro, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Fifth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 314 through 321) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 314, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 2165, entitled: "A BILL FOR AN ACT RELATING TO NURSING." (ACT 023)

Gov. Msg. No. 315, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 2441, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION." (ACT 024)

Gov. Msg. No. 316, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 647, HD 2, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 025)

Gov. Msg. No. 317, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 2523, entitled: "A BILL FOR AN ACT RELATING TO THE LAND USE COMMISSION." (ACT 026)

Gov. Msg. No. 318, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 2696, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF THE JUDICIARY HISTORY CENTER." (ACT 027)

Gov. Msg. No. 319, informing the House that on April 22, 2008, the following bill was signed into law:

S.B. No. 2401, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS: MAKING VARIOUS TECHNICAL AMENDMENTS TO THE HAWAII REVISED STATUTES FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, AND CLARIFYING LANGUAGE." (ACT 028)

Gov. Msg. No. 320, informing the House that on April 22, 2008, the following bill was signed into law:

S.B. No. 3068, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE ADULT MENTAL HEALTH DIVISION." (ACT 029)

Gov. Msg. No. 321, informing the House that on April 22, 2008, the following bill was signed into law:

H.B. No. 3161, SD 3, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII HEALTH SYSTEMS CORPORATION." (ACT 030)

The following messages from the Governor (Gov. Msg. Nos. 322 and 323) were announced by the Clerk and were received for possible consideration at a later date:

Gov. Msg. No. 322, transmitting S.B. No. 868, SD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 22, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 868

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 868, entitled "A Bill for an Act Relating to Boards and Commissions."

The purpose of this bill is to expressly except communications to state boards and commissions initiated by the Legislature and its committees from the requirement in section 26-35(a) (1), Hawaii Revised Statutes, that boards and commissions communicate with the Governor and the Legislature only through the head of the department to which the board or commission is administratively attached.

I believe communication between persons at all levels of the legislative and executive branches is vital to our ability to fulfill the responsibilities each of us is assigned by the Constitution and laws of the State.

It is my understanding that individual members of boards and commissions and their staffs testify regularly and respond to requests from individual members and committees of the Legislature in order to formulate state policy and enact laws to effectuate them. Boards and commissions also take official positions on bills pending before the Legislature and, when doing so, coordinate this testimony through the appropriate department and agency to which they are attached. Inasmuch as the means for the Legislature and executive branch boards and commissions to communicate with each other are already in place and, more importantly, are being used regularly, this bill is not needed.

For the foregoing reasons, I am returning Senate Bill No. 868 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 323, transmitting S.B. No. 2898, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU

April 22, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2898

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2898, entitled "A Bill for an Act Relating to the Agreement Among the States to Elect the President by National Popular Vote."

The purpose of this bill is to add a new chapter to the Hawaii Revised Statutes that will cause Hawaii to join an interstate compact or agreement among the member states to award their electoral votes to the national popular vote winner for the office of the President of the United States regardless of the popular vote winner in each member state.

Under this bill, Hawaii's four electoral votes would be awarded to the presidential slate that receives the most votes as determined by the national popular vote regardless of which candidate won the popular vote in Hawaii. Had this compact been in effect since statehood, in four elections Hawaii's electoral votes would have gone to a candidate whom the majority of voters in Hawaii did not want--Richard Nixon rather than Hubert Humphrey in 1968, Ronald Reagan rather than Jimmy Carter in 1980; George Bush rather than Michael Dukakis in 1988, and George W. Bush rather than John Kerry in 2004.

Given the potential under the interstate compact that Hawaii's electoral votes would be awarded in a manner that does not reflect the will of the majority of the voters in Hawaii, this bill would disenfranchise Hawaii's voters and is not in the best interest of the citizens of the State of Hawaii.

For the foregoing reason, I am returning Senate Bill No. 2898 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATION

The following communication from the Senate (Sen. Com. No. 699) was received and announced by the Clerk:

Sen. Com. No. 699, dated April 22, 2008, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 3377, SD 2	Senator English discharged as Chair; Added as conferee. Senator Gabbard added as Chair.
S.B. No. 2365, SD 1, HD 1	Senator Hooser discharged as Co-Chair. Senator Menor discharged as conferee; Added as Co-Chair.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Berg introduced 2nd and 3rd grade students from Hanahauoli School and their teachers, Ms. Gloria Del Rosario, Ms. Kathy Galdeira and Ms. Maile Ostrem; UH Students, Ms. Chevelle Acosta and Ms. Cher Garard; and parents, Ms. Aubrey Hawk, Ms. Rose Chismar, Ms. Shelly Hee, Ms. Susan Scott, Ms. Cheryl Dunn, Ms. Tiny Wary, Ms. Jill Tsuchitori, and Ms. Janet Marlette.

Representative Ito introduced his former Committee Clerk, Mr. Ikaika Hussey.

Representative Tokioka introduced his calabash niece, Miss Elle Uyeda from Hanahauoli School.

Representative Waters introduced his friends from Hanahauoli School, Rylan Dunn and his mother, Ms. Cheryl Dunn Takabayashi; and Maddy Hawk and her mother, Ms. Aubrey Hawk.

Representative Bertram introduced Charter School administrators from Kihei, Mr. Gene Zarro and Mr. Mark Christiano.

Representative Hanohano introduced Charter School administrators from the Big Island, Mr. Steve Hirakami, Mr. Curtis Muraoka and Mr. David Rizor.

Representative Carroll introduced Ms. Susan 'Netra' Halperin, owner of Child's Play Psychotherapy in Wailuku who was her shadow for today.

ORDER OF THE DAY

COMMITTEE REASSIGNMENTS

The following concurrent resolutions were re-referred to committee by the Speaker:

S.C.R. Nos.	Re-referred to:
220	Committee on Education
225, SD1	Committee on Tourism & Culture

SUSPENSION OF RULES

Representative B. Oshiro moved that the rules of the House be suspended for the purpose of considering certain bills on Third Reading and Final Reading on the basis of a modified consent calendar, seconded by Representative Meyer and carried. (Representatives Nakasone, Nishimoto and M. Oshiro were excused.)

UNFINISHED BUSINESS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1951-08) recommending that S.B. No. 69, SD 2, HD 2, as amended in HD 3, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 69, SD 2, HD 3, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Third Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

At 12:19 o'clock p.m., the Chair noted that S.B. No. 69, SD 2, HD 3, passed Third Reading.

Conf. Com. Rep. No. 1-08 and S.B. No. 2400, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2400, SD 1, HD 1, CD 1, entitled: "A

BILL FOR AN ACT RELATING TO DECRIMINALIZATION OF MINOR OFFENSES PURSUANT TO ACT 124, SESSION LAWS OF HAWAII 2005," passed Final Reading by a vote of 49 ayes and with Representatives Nakasone and M. Oshiro being excused.

Conf. Com. Rep. No. 2-08 and S.B. No. 2784, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2784, SD 1, HD 1, CD 1 pass Final Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2784, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE POWER OF ARREST," passed Final Reading by a vote of 49 ayes and with Representatives Nakasone and M. Oshiro being excused.

At 12:20 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2400, SD 1, HD 1, CD 1
S.B. No. 2784, SD 1, HD 1, CD 1

CONFERENCE COMMITTEE REPORTS

Representatives Souki, Shimabukuro and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2245, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 6-08) recommending that S.B. No. 2245, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 6-08 and S.B. No. 2245, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," was deferred for a period of 48 hours.

Representatives Chang, Green, Herkes and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2146, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 7-08) recommending that S.B. No. 2146, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 7-08 and S.B. No. 2146, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," was deferred for a period of 48 hours.

Representatives Ito and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2170, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 8-08) recommending that S.B. No. 2170, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 8-08 and S.B. No. 2170, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," was deferred for a period of 48 hours.

Representatives Herkes, B. Oshiro and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3008, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 9-08) recommending that S.B. No. 3008, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 9-08 and S.B. No. 3008, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," was deferred for a period of 48 hours.

Representatives Herkes, B. Oshiro and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3023, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 10-08) recommending that S.B. No. 3023, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 10-08 and S.B. No. 3023, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2511, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 51-08) recommending that H.B. No. 2511, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 51-08 and H.B. No. 2511, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," was deferred for a period of 48 hours.

Representatives Herkes and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3331, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 52-08) recommending that H.B. No. 3331, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 52-08 and H.B. No. 3331, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was deferred for a period of 48 hours.

Representatives Tsuji, Ito and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2810, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 53-08) recommending that H.B. No. 2810, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 53-08 and H.B. No. 2810, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," was deferred for a period of 48 hours.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Nakasone and M. Oshiro were excused.)

H.B. No. 1402, H.D. 2, S.D. 2
H.B. No. 1978, H.D. 1, S.D. 1
H.B. No. 2009, S.D. 1
H.B. No. 3140, S.D. 2
H.B. No. 3197, S.D. 1

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 1402, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1402, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Evans, Sonson and Har). Noes, none. Excused, 1 (Pine).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1402, H.D. 2 and H.B. No. 1402, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONAL INDUSTRIES," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

H.B. No. 1978, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 1978, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Waters, Rhoads and Pine). Noes, none. Excused, 1 (McKelvey).

Representative Caldwell moved that H.B. No. 1978, HD 1, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Mr. Speaker I'm rising to speak with very serious reservations about this measure. The bill extends, for another three years, the prohibition against urinating or defecating within the boundaries of Downtown Honolulu. While no one wants that to occur, we also have to look at the responsibility of government.

"The Mayor of the City and County of Honolulu has not put up adequate restrooms in that area. People such as ourselves can walk and go into a restaurant, and if we have to use the facilities there we can do so. People that don't have that ability to go into a restaurant and pay for a meal, don't have adequate restrooms to be used. This is something that City government has not taken care of and we're continuing to criminalize a behavior while not affording the people any opportunities to have a facility to use in the Downtown area.

"I think the bill is still wrong, I think that at least we could have done a Resolution to the City to say they need to put up public restrooms in the Downtown urban core, and we didn't even do that. Thank you."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"I'm standing in support, but I also would like to add that I share the concern of my colleague from Kailua because that's the same story with downtown Waipahu. We have two shopping centers there and there's no where you can use a public restroom. Thank you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise with reservations. Mr. Speaker, Hawaii is not a Third World country; Downtown Honolulu, Waipahu or other places. We are not a Third World country. It's regrettable that we have to have a bill that says such basic hygienic and human standards have to be met.

"I guess my WR is really 'with regret' that I will vote for the bill, but it seems as though having to have this on the books at this level is a little bit of a deterioration of the standard of who we think we are, and who we know we are except for some areas. And I know there are various reasons why, people with drugs and other difficulties, and with a lack of facilities have done that. But to bring to this level, to make it a formal decree through the law here in House Bill 1978, to me, is with regrets. Thank you."

Representative Belatti rose in support of the measure with reservations, and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Rhoads rose to speak in support of the measure, stating:

"In support, Mr. Speaker. I think there are actually more public bathrooms in the Downtown area than the previous speakers give the area credit for. The Honolulu Police Substation is open 24 hours a day to anyone. I've asked them repeatedly, whether anyone can use the toilet, and I've been assured over and over and over again that they can. The River of Life will take anybody. They don't care what you look like. That's during the day from 9:00 in the morning, to 8:00 or 9:00 at night. There are public toilets in Aala Park. There are public toilets in all the Downtown government office buildings like our own where no one is turned away. I do agree to the extent that we need better signage for people to be pointed to the right place, and I have worked on that over the years as a member of the Downtown Neighborhood Board and also as a Member of the Legislature.

"I think those who live in the Downtown area are really sick and tired of having people *shishi* in the bus stops in front of their buildings, on the walls of their buildings, or in the staircases of the buildings. It's a problem and it is regretful that people don't have the common decency enough to do that. But before my predecessor, Representative Hiraki, passed this law in the first place, and there was really no legal impediment for anybody doing whatever they wanted, wherever they wanted. So that's why this is necessary. Mahalo."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising with reservations and would ask that the words of the speaker from Kailua be entered into the Journal as if they were my own. Another concern I have with this is that it makes this behavior in Honolulu a crime, but it's not a crime in Waipahu, or Kaneohe, or Kahaluu, or anywhere else. And I would wonder if this would pass Constitutional muster. Thank you."

Representative Berg rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations as well, and would like to build on the comments from the Representative from Kailua. If we are able, next Session, to hold the counties more accountable to fulfilling their responsibilities relating to the Uniform Plumbing Code, I think that would deal with the problem, as opposed to the symptoms. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Mr. Speaker, in support of this landmark and visionary piece of Legislation. Sometimes there aren't bathrooms because people shouldn't be there. And even in areas where there are bathrooms,

there still are problems of people relieving themselves outside of the bathrooms. So I think I see this is as a pilot project, and it is needed. Thank you."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 1978, H.D. 1 and H.B. No. 1978, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC ORDER," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

H.B. No. 2009, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2009, on the following showing of Ayes and Noes:

Ayes, 2 (Evans and Har). Noes, none. Excused, 1 (Finnegan).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2009 and H.B. No. 2009, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO CORRECTIONS," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

H.B. No. 3140, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3140, on the following showing of Ayes and Noes:

Ayes, 3 (Shimabukuro, Rhoads and Ward). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3140 and H.B. No. 3140, S.D. 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

H.B. No. 3197, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3197 and H.B. No. 3197, S.D. 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and M. Oshiro being excused.

At 12:28 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1402, H.D. 2, S.D. 2
H.B. No. 1978, H.D. 1, S.D. 1
H.B. No. 2009, S.D. 1
H.B. No. 3140, S.D. 2
H.B. No. 3197, S.D. 1

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representative Nakasone was excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

H.B. No. 2326, HD 2, SD 1
H.B. No. 2589, HD 2, SD 2

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative B. Oshiro and carried. (Representative Nakasone was excused.)

H.C.R. No. 93, HD 1, (SD 1)
H.C.R. No. 226, (SD 1)
H.C.R. No. 245, HD 1, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 93, HD 1, SD 1

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 93, HD 1, and H.C.R. No. 93, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ENCOURAGING PARTICIPATION IN THE STATEWIDE PURPLE RIBBON AND PURPLE ARM BAND CAMPAIGN AGAINST DOMESTIC VIOLENCE," was Adopted, with Representative Nakasone being excused.

H.C.R. No. 226, SD 1

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 226, and H.C.R. No. 226, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII'S JOHN A. BURNS SCHOOL OF MEDICINE TO CONDUCT A SURVEY OF CURRENT AND PROSPECTIVE STUDENTS TO EXAMINE AND DEVELOP A PLAN TO ADDRESS RURAL HEALTH PROFESSIONAL SHORTAGE AREAS IN THE STATE," was Adopted, with Representative Nakasone being excused.

H.C.R. No. 245, HD 1, SD 1

Representative M. Oshiro moved that H.C.R. No. 245, HD 1, SD 1, be Adopted, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition. I just feel the work of the Tourism Chair in helping to move forward this Hawaii Cruise Industry study was really, really important. This is the only way we can assess impact fees through the Cruise Ships vis-à-vis the Alaska Law. I just hate to see a good Resolution replaced with another good Resolution. But that's my concerns, and that's why I'm in opposition."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support. And thank you to the previous speaker. I just wanted to say that during our discussions on some of the issues regarding moving forward with some of the needed harbor improvements, these issues will impact tourism and I think this is a positive step to looking forward to the future. Thank you, Mr. Speaker."

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with reservations on the measure.

"Mr. Speaker, this Resolution before us is very different than the one we voted for on the Floor before it was sent to the Senate. The Resolution was originally strongly urging public and private entities to work together in good faith to complete the ongoing study entitled the "Hawaii Cruise Industry Study," intended to assess the current and potential impacts of the cruise industry on each island and the state until the year 2018.

"The amended Resolution now is requesting the Auditor to conduct an audit of the Aloha Tower Development Corporation, particularly with regard to its lawsuits relating to its development contracts, projects, and procurement practices, and the justification for its existence.

"I am concerned the Resolution before us was not given a thorough hearing on the House side. I was in support of the Cruise Industry Study, but now I have reservations on this Resolution because we were not able to openly discuss this amended Resolution with the Aloha Tower Development Corporation, the Auditor, or most importantly, the public.

"I am concerned when we amend Resolutions like we amended this Resolution without a proper hearing. It sets a bad precedent and we will erode the trust of the public. Mahalo."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.C.R. No. 245, HD 1, and H.C.R. No. 245, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT AN AUDIT OF THE ALOHA TOWER DEVELOPMENT CORPORATION, PARTICULARLY WITH REGARD TO ITS LAWSUITS RELATING TO ITS DEVELOPMENT CONTRACTS, PROJECTS, AND PROCUREMENT PRACTICES, AND THE JUSTIFICATION FOR ITS EXISTENCE," was Adopted, with Representative Nakasone being excused.

ANNOUNCEMENT

Representative Manahan, for the Committee on Tourism & Culture, requested a waiver of the 48-hour advanced notice rule to hear SCR No. 225, SD 1, Acknowledging the Work of the State Foundation on Culture and the Arts in Supporting Arts and Culture in Hawaii, and Requesting that as Agencies Move from the No. 1 Capitol District Building, the Vacated Space Shall be Assigned to the State Foundation on Culture and the Arts and the State Art Museum, on Thursday, April 24 at 2:00 p.m. in Conference Room 423, and the Chair "so ordered."

ADJOURNMENT

At 12:33 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Thursday, April 24, 2008. (Representative Nakasone was excused.)

HOUSE COMMUNICATIONS

House Communication dated April 23, 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 following bills have this day passed Final Reading in the House of Representatives:

S.B. No. 2400, SD 1, HD 1, CD 1
S.B. No. 2784, SD 1, HD 1, CD 1

House Communication dated April 23, 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 agreed to the amendments made by the Senate and passed the following bills House Bills on Final Reading:

H.B. No. 1402, H.D. 2, S.D. 2
H.B. No. 1978, H.D. 1, S.D. 1
H.B. No. 2009, S.D. 1
H.B. No. 3140, S.D. 2
H.B. No. 3197, S.D. 1

House Communication dated April 23, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 8, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2326, HD 2, SD 1

House Communication dated April 23, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2589, HD 2, SD 2

House Communication dated April 23, 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 agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 93, HD 1, SD 1
H.C.R. No. 226, SD 1
H.C.R. No. 245, HD 1, SD 1

FIFTY-SEVENTH DAY

Thursday, April 24, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 6:36 o'clock p.m., with Vice Speaker Chong presiding.

The invocation was delivered by Representative Marilyn B. Lee, after which the Roll was called showing all members present with the exception of Representatives Bertram, Nakasone, M. Oshiro, Sagum and Takai, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Thirty-Ninth, Fortieth, Forty-First, Forty-Second, Forty-Third, Forty-Fourth and Forty-Fifth Days were approved. (Representatives Bertram, Nakasone, M. Oshiro, Sagum and Takai were excused.)

GOVERNOR'S MESSAGE

The following messages from the Governor (Gov. Msg. Nos. 324 through 329) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 324, informing the House that on April 23, 2008, the following bill was signed into law:

H.B. No. 2502, HD 2, entitled: "A BILL FOR AN ACT RELATING TO SOLAR ENERGY." (ACT 031)

Gov. Msg. No. 325, informing the House that on April 23, 2008, the following bill was signed into law:

H.B. No. 2347, HD 1, entitled: "A BILL FOR AN ACT RELATING TO METAL." (ACT 032)

Gov. Msg. No. 326, informing the House that on April 23, 2008, the following bill was signed into law:

H.B. No. 2369, entitled: "A BILL FOR AN ACT RELATING TO THE AFTER-SCHOOL PLUS PROGRAM REVOLVING FUND." (ACT 033)

Gov. Msg. No. 327, dated April 11, 2008, transmitting the Department of Accounting and General Services' Report on Agencies that Delegate the Audit Responsibility and Transfer Funds in accordance with Act 213, Section 174.

Gov. Msg. No. 328, informing the House that on April 24, 2008, the following bill was signed into law:

S.B. No. 2141, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HOUSING." (ACT 034)

Gov. Msg. No. 329, informing the House that on April 24, 2008, the following bill was signed into law:

S.B. No. 3074, SD 1, HD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE EMERGENCY MEDICAL SERVICES AND INJURY PREVENTION SYSTEM BRANCH." (ACT 035)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 700 through 708) were received and announced by the Clerk:

Sen. Com. No. 700, transmitting H.B. No. 2250, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," which passed Third Reading in the Senate on April 23, 2008.

Sen. Com. No. 701, transmitting H.C.R No. 260, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE COLLEGE OF AGRICULTURE, FORESTRY, AND NATURAL RESOURCE MANAGEMENT AT THE UNIVERSITY OF HAWAII AT HILO, IN COLLABORATION WITH THE DEPARTMENT OF AGRICULTURE AND HAWAII COMMUNITY COLLEGE, TO CONDUCT A STUDY ON THE PROGRAMS DEVELOPED BY THE KULANI CORRECTIONAL FACILITY THAT WOULD AID IN THE REVITALIZATION OF STATE AGRICULTURE," which was adopted by the Senate on April 23, 2008.

Sen. Com. No. 702, transmitting H.C.R No. 314, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE UNIVERSITY OF HAWAII TO ESTABLISH AND ADMINISTER A REHABILITATIVE AND RELATED SERVICES GRADUATE SCHOOL LOAN PROGRAM WITHIN ITS CENTER ON DISABILITY STUDIES," which was adopted by the Senate on April 23, 2008.

Sen. Com. No. 703, transmitting S.C.R. No. 236, entitled: "SENATE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE AUDITOR, THE DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," which was adopted by the Senate on April 23, 2008.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.C.R. No. 236, entitled "SENATE CONCURRENT RESOLUTION CALLING FOR A JOINT SESSION OF THE LEGISLATURE FOR THE PURPOSE OF APPOINTING THE AUDITOR, THE DIRECTOR OF THE LEGISLATIVE REFERENCE BUREAU, AND THE OMBUDSMAN," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Sen. Com. No. 704, dated April 23, 2008, informing the House that the following bills have this day passed Final Reading:

S.B. No. 2400, SD 1, HD 1, CD 1
S.B. No. 2784, SD 1, HD 1, CD 1
S.B. No. 966

Sen. Com. No. 705, dated April 23, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Concurrent Resolutions:

S.C.R. No. 33, SD 1, HD 1	"REQUESTING THE EXECUTIVE OFFICE ON AGING, THE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, AND THE STATE HEALTH PLANNING AND DEVELOPMENT AGENCY TO CONTINUE THEIR WORK ON THE LONG TERM LIVING INITIATIVE."
S.C.R. No. 124, SD 1, HD 1	"REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MEDICAID-SPONSORED PROGRAMS."

S.C.R. No. 210, HD 1	"APPROVING THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE."

Sen. Com. No. 706, dated, April 23, 2008, informing the House that the Senate has on April 22, 2008, reconsidered its action taken on April 16, 2008, in disagreeing to the amendment proposed by the House to the following Senate Concurrent Resolution and has moved to agree to the amendments and that said resolution has this day been Adopted:

S.C.R. No. 53, SD 1, HD 1	"REQUESTING THE PRESIDENT OF THE UNITED STATES TO ENTER INTO A FREE TRADE AGREEMENT WITH TAIWAN."

Sen. Com. No. 707, dated, April 23, 2008, informing the House that the Senate has on April 22, 2008, reconsidered its action taken on April 18, 2008, in disagreeing to the amendment proposed by the House to the following Senate Concurrent Resolution and has moved to agree to the amendments and that said resolution has this day been Adopted:

S.C.R. No. 52, HD 1 [*sic*]	"REQUESTING THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM TO WORK WITH THE SECRETARY OF HOMELAND SECURITY TO EXPAND THE VISA WAIVER PROGRAM TO INCLUDE TAIWAN."

Sen. Com. No. 708, dated April 23, 2008, informing the House that the President has appointed as conferees on the part of the Senate, for the consideration of amendments proposed by the Senate to the following House Bill:

3407, HD 1, SD 1	Menor, Chair; Kokubun, Co-Chair; Trimble

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Caldwell introduced Mr. Stuart Ho, a volunteer with the American Association of Retired Persons.

Representative McKelvey introduced Ms. Melissa Pavlicek, a business advocate from Maui.

ORDER OF THE DAY

COMMITTEE REASSIGNMENT

The following bill was re-referred to committee by the Speaker:

S.B. No.	**Re-referred to:**
409, SD2, HD1	Committee on Consumer Protection & Commerce, then to the Committee on Finance

UNFINISHED BUSINESS

At this time, the Chair announced:

"Members, please note that Senate Concurrent Resolution No. 220 was re-referred solely to the Committee on Education per Committee Referral Sheet No. 93 that was placed on your desk today. The Committee on Finance waived its referral to this measure and therefore it is appropriate for the House to consider action for adoption."

SUSPENSION OF RULES

Representative Caldwell moved to suspend the rules of the House to reconsider action previously taken on S.C.R. No. 220, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved to reconsider action taken pursuant to the recommendations contained in Stand. Com. Rep. No. 1908-08 in referring S.C.R. No. 220, to the Committee on Finance, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

ADOPTION

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.C.R. No. 220, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF EDUCATION TO CONSIDER CONTINUING PROJECT GRADUATION TRAINING THROUGH DRIVER EDUCATION UNDERWRITERS' FEES AS PART OF TRAFFIC SAFETY EDUCATION," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

SUSPENSION OF RULES

Representative B. Oshiro moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative Meyer and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 3-08 and S.B. No. 2454, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2454, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGE FORECLOSURES," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 4-08 and S.B. No. 2464, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2464, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE MAMMAL," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 5-08 and S.B. No. 3030, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee

was adopted and S.B. No. 3030, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

At 6:45 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2454, SD 1, HD 1, CD 1
S.B. No. 2464, HD 1, CD 1
S.B. No. 3030, SD 2, HD 2, CD 1

STANDING COMMITTEE REPORT

Representatives Green and Herkes, for the Committee on Health and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1953-08) recommending that S.C.R. No. 41, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 41, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW OF THE INDUSTRIAL HYGIENE, SAFETY, AND HEALTH PHYSICS PROFESSIONS," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representatives Green and Herkes, for the Committee on Health and the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 1954-08) recommending that S.C.R. No. 196, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committees was adopted and S.C.R. No. 196, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL IMPACTS OF REQUIRING HEALTH INSURERS TO PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF AUTISM SPECTRUM DISORDERS," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Yamane and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2434, HD 1, presented a report (Conf. Com. Rep. No. 11-08) recommending that S.B. No. 2434, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 11-08 and S.B. No. 2434, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," was deferred for a period of 48 hours.

Representatives Ito and Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3166, HD 1, presented a report (Conf. Com. Rep. No. 12-08) recommending that S.B. No. 3166, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 12-08 and S.B. No. 3166, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2838, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 13-08) recommending that S.B. No. 2838, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 13-08 and S.B. No. 2838, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," was deferred for a period of 48 hours.

Representatives Ito, Yamashita, Waters and Tokioka, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2196, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 14-08) recommending that S.B. No. 2196, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 14-08 and S.B. No. 2196, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," was deferred for a period of 48 hours.

Representatives Shimabukuro and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2054, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 15-08) recommending that S.B. No. 2054, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 15-08 and S.B. No. 2054, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," was deferred for a period of 48 hours.

Representatives Shimabukuro and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2730, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 16-08) recommending that S.B. No. 2730, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 16-08 and S.B. No. 2730, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3087, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 17-08) recommending that S.B. No. 3087, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 17-08 and S.B. No. 3087, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," was deferred for a period of 48 hours.

Representatives Yamane and Ito, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1035, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 18-08) recommending that S.B. No. 1035, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 18-08 and S.B. No. 1035, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY COMMEMORATION," was deferred for a period of 48 hours.

Representatives Morita, Ito and Tsuji, for the Committee on Conference on the disagreeing vote of the Senate to the amendments

proposed by the House in S.B. No. 2849, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 19-08) recommending that S.B. No. 2849, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 19-08 and S.B. No. 2849, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Representatives B. Oshiro and Tsuji, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2895, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 20-08) recommending that S.B. No. 2895, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 20-08 and S.B. No. 2895, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," was deferred for a period of 48 hours.

Representatives Shimabukuro and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1337, HD 1, presented a report (Conf. Com. Rep. No. 21-08) recommending that S.B. No. 1337, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 21-08 and S.B. No. 1337, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," was deferred for a period of 48 hours.

Representatives Waters and Herkes, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1961, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 22-08) recommending that S.B. No. 1961, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 22-08 and S.B. No. 1961, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," was deferred for a period of 48 hours.

Representatives Ito, Yamane and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2644, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 23-08) recommending that S.B. No. 2644, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 23-08 and S.B. No. 2644, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," was deferred for a period of 48 hours.

Representatives Tsuji, Ito and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2450, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 54-08) recommending that H.B. No. 2450, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 54-08 and H.B. No. 2450, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," was deferred for a period of 48 hours.

Representatives Shimabukuro and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2346, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 55-08) recommending that H.B. No. 2346, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 55-08 and H.B. No. 2346, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," was deferred for a period of 48 hours.

Representatives Ito, Tsuji and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3126, SD 2, presented a report (Conf. Com. Rep. No. 56-08) recommending that H.B. No. 3126, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 56-08 and H.B. No. 3126, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION AC," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 931, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 57-08) recommending that H.B. No. 931, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 57-08 and H.B. No. 931, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2847, SD 1, presented a report (Conf. Com. Rep. No. 58-08) recommending that H.B. No. 2847, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 58-08 and H.B. No. 2847, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2953, SD 1, presented a report (Conf. Com. Rep. No. 59-08) recommending that H.B. No. 2953, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 59-08 and H.B. No. 2953, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," was deferred for a period of 48 hours.

Representatives Souki and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3249, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 60-08) recommending that H.B. No. 3249, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 60-08 and H.B. No. 3249, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," was deferred for a period of 48 hours.

Representatives Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1356, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 61-08) recommending that H.B. No. 1356, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 61-08 and H.B. No. 1356, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," was deferred for a period of 48 hours.

Representatives Morita and Carroll, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2661, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 62-08) recommending that H.B. No. 2661, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 62-08 and H.B. No. 2661, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," was deferred for a period of 48 hours.

Representatives Shimabukuro and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 523, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 63-08) recommending that H.B. No. 523, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 63-08 and H.B. No. 523, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Representatives Green and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2139, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 64-08) recommending that H.B. No. 2139, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 64-08 and H.B. No. 2139, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," was deferred for a period of 48 hours.

Representatives Herkes and Sonson, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2255, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 65-08) recommending that H.B. No. 2255, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 65-08 and H.B. No. 2255, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," was deferred for a period of 48 hours.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

H.B. No. 2326, HD 2, SD 1
H.B. No. 2589, HD 2, SD 2

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 2326, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2326, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Herkes, Tokioka and Marumoto). Noes, none. Excused, 1 (Waters).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2326, H.D. 2 and H.B. No. 2326, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO MORTGAGES," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

H.B. No. 2589, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2589, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Herkes, Waters, Yamane and Marumoto). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2589, H.D. 2 and H.B. No. 2589, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO SCRAP METAL," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

At 6:48 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2326, HD 2, SD 1
H.B. No. 2589, HD 2, SD 2

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

H.B. No. 2261, HD 2, SD 1
H.B. No. 2770, HD 1, SD 2
H.B. No. 2917, HD 2, SD 1
H.B. No. 2965, HD 2, SD 2

H.B. No. 3151, HD 2, SD 1

RECOMMITTAL

At this time, the Chair announced:

"Members, the Chair has an announcement. Yesterday the 48-hour notice was given for Conference Committee Report 52-08, House Bill No. 3331, CD 1, Relating to Condominiums. Since then the House and Senate Conference Committee Co-Chairs have requested that the measure be recommitted to the Conference Committee for further deliberation, the Senate President and House Speaker concur with their request."

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.B. No. 3331, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," was recommitted to the Committee on Conference, with Representatives Bertram, Nakasone, M. Oshiro, Takai and Takumi being excused.

ANNOUNCEMENTS

Representative Shimabukuro, for the Committee on Conference requested a waiver of the 24-hour notice requirement to convene a Conference Committee on S.B. No. 69 to be scheduled for tomorrow, April 25th at 10:00 a.m. in Room 229, and the Chair, "so ordered."

Representative Shimabukuro: "This is our Keiki Care bill for the Aloha Airlines employees and others."

Representative Herkes: "Thank you, Mr. Speaker. Members, you just heard that we have recommitted House Bill 3331. The reason was that we had filed the wrong version of the bill and both the Senate President and the Speaker have agreed to waive the deadline at 6:00 this evening.

"And so Mr. Speaker, your Conference Committee requests a waiver of the 24-hour rule for House Bill 3331, A Bill for an Act Relating to Condominiums. The Conference Committee meeting will be held tomorrow, April 25 at 9:00 a.m. in Conference Room 016. Thank you," and the Chair "so ordered."

Representative Morita, for the Committee on Conference requested a waiver of the 24-hour notice requirement to convene a Conference Committee on H.B. No. 3407, and the Chair "so ordered."

Representative Morita: "We still need to set a time, so it is pending notice. Thank you."

Representative Waters, for the Committee on Conference requested a waiver of the 24-hour notice requirement to convene a Conference Committee on H.B. No. 516, Relating to Sexual Offenders, and S.B. No. 1804, Relating to Trauma Systems Special Fund, and the Chair "so ordered."

Representative Waters: "We also still need to set a time, so it is pending notice. Thank you."

Representative Berg: "Thank you, Mr. Speaker. Before we adjourn this evening, may I ask for a moment of silence for one of my constituents, Sister Naomi Correa, who passed away last night. She was, if we recall, one of the sparrows early on when Hawaii was becoming a State and finding its place in the whole conversation of the nation. I think she's given many of us guidance for her adherence to ideals, and I would appreciate a moment of silence. Thank you."

At this time, the House of Representatives stood for a moment of silence in memory of the late Ms. Naomi "Auntie Sister" Correa

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Meyer and carried. (Representatives Bertram, Ito, Karamatsu, Nakasone, M. Oshiro, Takai and Takumi were excused.)

At 6:55 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 6:30 o'clock p.m. tomorrow, Friday, April 25, 2008. (Representatives Bertram, Ito, Karamatsu, Nakasone, M. Oshiro, Takai and Takumi were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 24-08 through 48-08; and 66-08 through 82-08) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 24-08 and S.B. No. 2345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 25-08 and S.B. No. 1891, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 26-08 and S.B. No. 3061, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 27-08 and S.B. No. 2456, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 28-08 and S.B. No. 2449, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 29-08 and S.B. No. 3051, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 30-08 and S.B. No. 2373, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 31-08 and S.B. No. 2080, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 32-08 and S.B. No. 2785, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 33-08 and S.B. No. 3092, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 34-08 and S.B. No. 2499, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 35-08 and S.B. No. 2833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 36-08 and S.B. No. 1802, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 37-08 and S.B. No. 2396, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 38-08 and S.B. No. 2212, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 39-08 and S.B. No. 2867, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 40-08 and S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 41-08 and S.B. No. 2341, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 42-08 and S.B. No. 1487, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 43-08 and S.B. No. 2363, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 44-08 and S.B. No. 2157, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 45-08 and S.B. No. 3203, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 46-08 and S.B. No. 2825, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 47-08 and S.B. No. 6, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 48-08 and S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 66-08 and H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 67-08 and H.B. No. 2245, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 68-08 and H.B. No. 1365, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 69-08 and H.B. No. 660, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 70-08 and H.B. No. 2697, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 71-08 and H.B. No. 2730, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 72-08 and H.B. No. 2253, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 73-08 and H.B. No. 2550, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 74-08 and H.B. No. 2557, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 75-08 and H.B. No. 1832, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 76-08 and H.B. No. 2486, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 77-08 and H.B. No. 2920, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 78-08 and H.B. No. 1153, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 79-08 and H.B. No. 2204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE

LIABILITY OF A FIREARM OWNER," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 80-08 and H.B. No. 3002, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 81-08 and H.B. No. 3383, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

Conf. Com. Rep. No. 82-08 and H.B. No. 3040, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 6:30 o'clock p.m. tomorrow, Friday, April 25, 2008.

HOUSE COMMUNICATIONS

House Communication dated April 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 Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

69, SD 2, HD 3	Shimabukuro/Green/M. Oshiro, Co-Chrs.; Marumoto

House Communication dated April 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 made the following change to the conferees on the following measures:

H.B. No. 1909, HD 1, SD 2	Discharged Representative Caldwell as manager
S.B. No. 409, SD 2, HD 1	Discharged Representative Green as Co-Chair

House Communication dated April 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 made the following change to the conferees on the following measure:

S.B. No. 1804, SD 2, HD 2	Representative Waters replaced Representative Green as lead Co-Chair

House Communication dated April 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 agreed to the amendments made by the Senate and the following bills have this day passed Final Reading:

H.B. No. 2326, HD 2, SD 1
H.B. No. 2589, HD 2, SD 2

House Communication dated April 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 following bills have this day passed Final Reading in the House of Representatives:

S.B. No. 2454, SD 1, HD 1, CD 1
S.B. No. 2464, HD 1, CD 1
S.B. No. 3030, SD 2, HD 2, CD 1

House Communication dated April 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 2261, HD 2, SD 1
H.B. No. 2770, HD 1, SD 2
H.B. No. 2965, HD 2, SD 2
H.B. No. 3151, HD 2, SD 1

House Communication dated April 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 3, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2917, HD 2, SD 1

FIFTY-EIGHTH DAY

Friday, April 25, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 6:41 o'clock p.m., with the Speaker presiding.

The invocation was delivered by Mr. Christopher Lee of Representative Scott K. Saiki's office, after which the Roll was called showing all members present with the exception of Representatives Bertram, Nakasone, M. Oshiro and Takai, who were excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Seventh Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 330 through 333) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 330, informing the House that on April 24, 2008, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: House Bill No. 2908 SD1

On April 24, 2008, House Bill No. 2908, entitled "A Bill for an Act Relating to Audit Recommendations" became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The bill would require the Legislative Auditor to submit an annual report on audit recommendations more than a year old that have not yet been implemented. It further requires the audited agency to submit within thirty days to the Auditor, Senate President, and House Speaker a report explaining why the audit recommendations were not implemented and an estimated date when they will be implemented. Finally, the bill requires the Executive Branch agencies to provide periodic progress reports at intervals specified by the Auditor.

This Administration respects the audit process and recognizes that the Legislative Auditor already prepares an annual listing of recommendations from the previous year and executive agency updates on these recommendations. This provides an opportunity to revisit audit findings that are still timely and may warrant further review. Further, we believe the Legislative Auditor already has the ability to follow-up on audit items that are more than one year old to determine to what extent they are still applicable and are being addressed by the audited agency.

This measure is troubling because it would require the compilation of audit findings without regard to how long ago these were issued and their relevancy today. This would place Executive Branch agencies in the position of refuting or explaining that these findings do not have a bearing on how they perform the public services entrusted to departments and agencies.

HB 2908 is also problematic because it implies that all recommendations contained in an audit are valid, have credence, and should be implemented. This simply is not true. Often, departments have explained that certain audit findings were based on partial information, are not relevant to how they conduct their business, or do not have merit. To force Executive Branch agencies and offices to comment on questionable findings year after year and explain why they are not being implemented serves no useful public purpose. Further, requiring agencies to respond within a thirty day window and then requiring updates at the discretion of the Legislative Auditor is not a wise use of public resources and can result in time taken away from the main purpose of the departments and agencies-namely, carrying out the programs and projects that fall within their jurisdiction.

I am proud of the record of this Administration in responding to legislative audit matters that have relevance and validity. We welcome constructive criticism and respond positively to suggestions that merit proper revisions in procedures and programs. But, we should not engage in paperwork exercises that do not promote or enhance the delivery of public services.

For the foregoing reasons, I allowed House Bill No. 2908 to become law as Act 36, effective April 24, 2008, without my signature.

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 331, informing the House that on April 25, 2008, the following bill was signed into law:

H.B. No. 2163, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO COMPTROLLER SUPERVISION OF ACCOUNTS." (ACT 037)

Gov. Msg. No. 332, informing the House that on April 25, 2008, the following bill was signed into law:

H.B. No. 2436, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FIREWORKS." (ACT 038)

Gov. Msg. No. 333, informing the House that on April 25, 2008, the following bill was signed into law:

H.B. No. 2699, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE." (ACT 039)

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 709 through 717) were received and announced by the Clerk:

Sen. Com. No. 709, transmitting H.C.R No. 125, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO EXAMINE UPCOMING CONDOMINIUM LEASEHOLD EXPIRATIONS AND THEIR IMPACT ON THE AVAILABILITY OF REPLACEMENT AND AFFORDABLE HOUSING FOR HAWAII RESIDENTS," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 710, transmitting H.C.R No. 208, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING CONGRESSIONAL ACTION TO EXEMPT THE STATE OF HAWAII FROM FEDERAL PREEMPTION PROHIBITING STATE INSPECTION OF PLANTS, PLANT PRODUCTS, AND OTHER BIOLOGICAL ORGANISMS," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 711, transmitting H.C.R No. 235, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION SUPPORTING FEDERAL TAX INCENTIVES TO ENCOURAGE THE USE OF RENEWABLE ENERGY SOURCES," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 712, transmitting H.C.R No. 326, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THAT THE DEPARTMENT OF AGRICULTURE CONVENE A TASK FORCE TO DEVISE A PLAN WITHIN ONE YEAR TO TIMELY

EXPEDITE THE INTRODUCTION AND DELIVERY OF HAWAIIAN CACAO TO THE MARKETPLACE," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 713, transmitting H.C.R No. 345, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF HAWAIIAN AFFAIRS TO TELEVISE THE GENERAL MEETINGS OF THE BOARD OF TRUSTEES OF THE OFFICE OF HAWAIIAN AFFAIRS," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 714, transmitting H.C.R No. 357, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII COLLEGE OF TROPICAL AGRICULTURE AND HUMAN RESOURCES TO STUDY THE FEASIBILITY OF CONSTRUCTING A MULTIPURPOSE, MULTI-USER PROCESSING FACILITY ON THE LAND IN THE EWA, CENTRAL OAHU AREA BEING OFFERED TO THE HAWAII AGRICULTURE RESEARCH CENTER, FOR THE PRODUCTION OF VALUE-ADDED PRODUCTS THAT MAKE USE OF LOCALLY-GROWN AGRICULTURAL PRODUCTS," which was adopted by the Senate on April 24, 2008.

Sen. Com. No. 715, dated, April 24, 2008, informing the House that the Senate has agreed to the amendments proposed by the House to the following Senate Concurrent Resolutions and that said resolutions were this day adopted by the Senate:

S.C.R. No. 115, SD 1, HD 1
S.C.R. No. 118, SD 1, HD 1
S.C.R. No. 134, SD 2, HD 1

Sen. Com. No. 716, dated April 24, 2008, informing the House that the following bills have this day passed Final Reading:

S.B. No. 2454, SD 1, HD 1, CD 1
S.B. No. 2464, HD 1, CD 1
S.B. No. 3030, SD 2, HD 2, CD 1

Sen. Com. No. 717, dated, April 24, 2008, informing the House that the Senate has disagreed to the amendments proposed by the House to the following Senate Bill, and has requested a conference on the subject matter thereof, in consequence of which the President has this day appointed as Conferees on the part of the Senate for the consideration of said amendments:

S.B. No. 69, SD 2, HD 3
"RELATING TO HEALTH CARE."

Chair:	Senator Ige
Co-Chairs:	Senators Chun Oakland and Baker
Member:	Senator Whalen

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Har introduced Mr. Bruce Voss and Mr. Ryan Engle of the law firm Bays Deaver Lung Rose and Holma.

Representative Luke introduced her son, Master Logan Luke who was watching the proceedings on Capitol TV.

Representative Belatti introduced her daughter, Miss Emma Belatti, and husband, Mr. Michael Belatti who were watching the proceedings on Capitol TV.

ORDER OF THE DAY

SUSPENSION OF RULES

Representative B. Oshiro moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative Meyer and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 6-08 and S.B. No. 2245, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2245, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure and I would like to request to submit written comments in the Journal. I'd just like to say that finally we're passing this on Final Reading and it's for children, like Representative Belatti's and Representative Luke's, who we pass this bill. We'll make children in the State of Hawaii safer and it will prevent unneeded deaths. Just one last word, and that is to thank Representative Waters and Representative Rhoads. Thank you, very much."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. This is the seventh time I have introduced a bill on this subject. Unfortunately, many still do not understand or acknowledge that leaving a child unattended in a car can have tragic consequences: heat stroke/death, strangulation in a car window, injury from setting a car in motion, or abduction by a stranger.

"In 2007, media reports show that more than 35 children were known to have died across the nation from injuries sustained by being left alone in a car. These numbers do not include those who were left in a hot car and saved just in time, or those who have suffered but have not died as a result of being left in cars. Far too many children have lost their lives or suffered when it is completely preventable.

"This bill will help protect innocent lives by prohibiting operators and adult passengers of motor vehicles from leaving the vehicle with an unattended child under the age of nine inside for more than five minutes, and makes such conduct a violation of the statewide traffic code.

"This prohibition provides one more tool with which law enforcement, firefighter, or rescue team personnel may take concrete action in protecting Hawaii's children by allowing personnel to use whatever means necessary to protect and remove endangered, unattended children from the vehicles.

"Law enforcement, firefighters, or rescue team personnel will be required to immediately report this violation to the police if the guardian of the unattended child cannot be located within a reasonable time.

"In addition, there is an educational component, which requires the examiner of drivers to test license applicants for knowledge of this offense. The requirements and penalties of leaving a child unattended in a motor vehicle shall be printed on a card, which shall be placed in the glove compartment of every rental motor vehicle offered to the public.

"I urge my colleagues to support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2245, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO UNATTENDED CHILDREN IN MOTOR VEHICLES," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 7-08 and S.B. No. 2146, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2146, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against Senate Bill 2146. Mr. Speaker, what this bill does is it continues the $40 surcharge or tax on our nurses whenever they renew their license. I know that the bill was not supported by professionals who are members of the Hawaii Nurses Association, and I can just read some of the districts and the entities have opposed this extension of this tax on nurses:

Hawaii Nurses Association District 4, Honolulu; District 5, Windward; District 6, Central Oahu; District 2, Kauai; District 1, Hilo; Queen's Medical Center, Kaiser Foundation Hospital, Kapiolani Medical Center, Hawaii Medical Center East, Wilcox Memorial Hospital, Wahiawa General Hospital, Kuakini Medical Center.

"And I think it should be noted, a large majority of the nurses practicing in Hawaii are staff nurses and hence a good portion of the $40 surcharge tax is generated or imposed upon this group of nursing professionals who care for Hawaii's ill patients in the ICU, the CCU, the ER, the medial surgical units, labor and delivery, nursing home, health clinics, telemetry intravenous team, oncology units, LTC, SNF, which is 'sniff' I believe. I've been told that five years of supporting this tax on the nurses has failed to retain experienced staff nurses. Many experienced staff nurses are either leaving or cutting their work hours, resulting in a shortage of nurses. And nurses are questioning the accountability of this CFN, as to why monies have not been spent researching and promoting the retention of experienced staff nurses. Thank you, Mr. Speaker."

Representative Belatti rose to disclose a potential conflict of interest, stating:

"Just a request a ruling of potential conflict. My husband is a nurse. Thank you, Mr. Speaker," and the Chair ruled, "no conflict."

Representative Pine rose to disclose a potential conflict of interest, stating:

"Also a potential conflict. My mother is a nurse," and the Chair ruled, "no conflict."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Since everybody else is asking for a ruling, Mr. Speaker I might as well ask it too. I'm a registered nurse," and the Chair ruled, "no conflict."

Representative Lee rose to speak in support of the measure, stating:

"I have a potential conflict too. Mr. Speaker, I'd like to speak in support of this measure. I'd just to like to say that I don't know if the Members remember not too long ago, we passed a Resolution asking the Nursing Center to work together with nurses in the community. That Resolution was supported by many members of the nursing community, including the Hawaii Nurses Association.

"When we brought this bill to Conference the members of the Hawaii Nurses Association and the people from the Nursing Center met and we had no opposition from them. So things have changed. I think people are working together. A lot of valuable work has been done by the Nursing Center. Part of the bill includes looking at the funding mechanism. And I do believe that in time, we will find that the Nursing Center is a valuable asset to the State of Hawaii.

"And actually, the Representative from Kailua is mistaken about the largest percentage of nurses working in hospitals. Actually nurses work in all sectors of our community. They're in industry. They're in the military. And they're in the schools. So we really care about what the nurses in the hospitals think, and I believe they are also going to work together with the Nursing Center to make this a success. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in support with a few comments. I'm not going to spend a lot of time talking about the $400,000 in grants that the Center has raised, nor talk about the in-kind donation by the University of Hawaii which totals over $100,000. I'm not going to spend a lot of time talking about the over $400,000 that this raises to close to $1 million for the Nursing Center. Its focus is to support nurses, to recruit nurses and to retain nurses.

"I do want to make one statement very clear to this body and that is the President of the Hawaii Nurses Association, Stuart McKinley, supports this bill. And if there are any Members who would like to have his phone number, I'd be glad to give it out and you can call the President because he does support this bill. Thank you very much, Mr. Speaker."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I'm rising in opposition to SB 2146, CD1.

"This bill extends the sunset date on the present fee charged to licensed nurses to fund the operations of the Center for Nursing at the University of Hawaii.

"Mr. Speaker, the Hawaii Nurses Association has been consistently opposed to this legislation throughout this Legislative Session. They are opposed to this bill because they are the sole source of funding for the Center for Nursing, and they were not at the table when the original bill passed in 2003. It is not fair for the nurses to "carry the whole load" while the institutions and hospitals that benefit from this Center do not pay into the fund.

"I also have concerns about why the sunset date was extended for five more years. During the hearings and in Conference, it seems that all involved parties would have accepted a one year extension of the fees, but extending it for five years completely disregards the testimony of hard working bedside nurses. These professionals don't deserve this kind of treatment. With the current need for more medical personnel on the islands, extending fees on these individuals will not attract more nurses to Hawaii. Thank you, Mr. Speaker."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, also in opposition. I think the size of the fees were questionable, as far as a large group of the nurses. So I will be voting no."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2146, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CENTER FOR NURSING," passed Final Reading by a vote of 41 ayes to 6 noes, with Representatives Brower, Finnegan, Marumoto, Meyer, Pine and Thielen voting no, and with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 8-08 and S.B. No. 2170, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2170, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, I'm just in strong support and I'm really glad to see this measure finally moving forward. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2170, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LAND," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 9-08 and S.B. No. 3008, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3008, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CODE OF FINANCIAL INSTITUTIONS," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 10-08 and S.B. No. 3023, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3023, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 51-08 and H.B. No. 2511, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2511, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENTAL ASSISTANCE," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Conf. Com. Rep. No. 53-08 and H.B. No. 2810, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2810, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER RATES," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

At 6:54 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2245, SD 1, HD 2, CD 1
S.B. No. 2146, SD 2, HD 1, CD 1
S.B. No. 2170, SD 1, HD 1, CD 1
S.B. No. 3008, SD 2, HD 1, CD 1
S.B. No. 3023, SD 2, HD 2, CD 1
H.B. No. 2511, HD 1, SD 2, CD 1
H.B. No. 2810, HD 1, SD 1, CD 1

STANDING COMMITTEE REPORTS

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1955-08) recommending that S.B. No. 788, SD 2, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 788, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Second Reading and was placed on the calendar for Third Reading with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1956-08) recommending that S.C.R. No. 208, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 208, SD 1, entitled: "SENATE CONCURRENT RESOLUTION RECOGNIZING, ACKNOWLEDGING, AND EXPRESSING GRATITUDE TO THE PEOPLE OF KALAUPAPA AND THEIR FAMILIES FOR THEIR GREAT SACRIFICES AND HARDSHIPS AS A RESULT OF THEIR FORCED ISOLATION, WHICH AT THE TIME WAS BELIEVED TO PROTECT THE PUBLIC'S HEALTH, AND APOLOGIZING TO THE PEOPLE OF KALAUPAPA AND THEIR FAMILIES FOR ANY HARSH RESTRICTIONS THAT CAUSED THEM UNDUE PAIN AS THE RESULT OF FORMER GOVERNMENT POLICIES SURROUNDING LEPROSY," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representative Yamane, for the Committee on Tourism & Culture presented a report (Stand. Com. Rep. No. 1957-08) recommending that S.C.R. No. 225, SD 1, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 225, SD 1, entitled: "SENATE CONCURRENT RESOLUTION ACKNOWLEDGING THE WORK OF THE STATE FOUNDATION ON CULTURE AND THE ARTS IN SUPPORTING ARTS AND CULTURE IN HAWAII, AND REQUESTING THAT AS AGENCIES MOVE FROM THE NO. 1 CAPITOL DISTRICT BUILDING, THE VACATED SPACE SHALL BE ASSIGNED TO THE STATE FOUNDATION ON CULTURE AND THE ARTS AND THE STATE ART MUSEUM," was adopted, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1958-08) recommending that S.C.R. No. 234, be adopted.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.C.R. No. 234, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE AND SUPPORT FEDERAL LEGISLATION TO IMPROVE THE VIABILITY OF HAWAII'S GEOGRAPHICALLY DISADVANTAGED FARMERS AND RANCHERS," was adopted,

with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1959-08), recommending that S.C.R. No. 108, be referred to the Committee on Finance.

Representative Caldwell moved that the report of the Committee be adopted, and that S.C.R. No. 108, be referred to the Committee on Finance, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"On Stand. Com. Rep. 1959-08, with very strong reservations and as the Finance Committee moves this out, I'll share my nifty little graph with everybody showing why I have serious reservations about this. Thank you."

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in support of this Resolution that would: Encourage the Department of Transportation and County Transportation Agencies to Actively Seek Opportunities to Construct More Roundabouts Instead of Signalized, Right-Angle Intersections in the State.

"In Ewa, on Oahu, we have a vast cornfield whereby the intersection of Farrington Highway with the North-South Road will feature a traffic signal. This at-grade configuration to impede the flow of traffic with a traffic signal is unwarranted especially when we have the technology and expertise to construct an overpass or flyover so that with a grade separated highway intersection, a bridge would alleviate the need for a traffic signal to serve all directions.

"The DOT claims that an overpass along the North-South Road over Farrington Highway would cost approximately $75 million. The DOT stated that the intersection in question is too close; around a half-mile or so between Farrington Highway and the H-1 Freeway. This span is too short to accommodate an overpass according to federal specifications.

"However, the City and County of Honolulu has the jurisdiction to place a flyover configuration over the North-South Road using Farrington Highway's right-of-way. The City is not advancing such a proposal, leaving the option of a roundabout to service this intersection due to its lesser costs associated with mitigating the flow of traffic expected to utilize this route.

"The DOT exclaimed roughly a year or two ago, that roundabouts are not compatible to the habits of drivers and balked on forwarding it for community discussion to implement.

"This Resolution will get the DOT back into servicing the motoring public with means to expedite the flow of traffic, rather than the current plan that is narrow, limited in scope, and fails to examine other solutions. This Resolution is needed now."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, on Stand. Com. No. 1959, I'll submit written comments, but with a comment in surprise because these roundabouts are really meant for places that still have open space. I haven't heard his argument yet, but I'm generally in strong support because all over the world, the British put them in their colonies and in fact we're rediscovering it doesn't take energy, it doesn't take anything but getting used to what otherwise is sufficient and safe. So I look forward to the ongoing debate, especially if Maui doesn't like them. Thank you, Mr. Speaker."

Representative Ward's written remarks are as follows:

"Mr. Speaker, thank you for the opportunity to offer my support for Senate Concurrent Resolution 108, which will encourage an increase in the construction of roundabouts in our State. As this Resolution states, an eight-state study found a crash decrease of thirty-nine percent, and a seventy-six percent decrease of crashes leading to injury in twenty-four intersections that were switched to roundabouts from signalized intersections.

"Mr. Speaker, our State has suffered from an increase in fatal crashes, yet roundabouts remain an underutilized tool in our State. I believe that an increase in roundabout construction will be a great benefit to our public safety, and I give it my full support.

"Thank you, Mr. Speaker, for this opportunity to offer my support for this measure."

Representative Cabanilla rose to respond, stating:

"Just a quick response on that matter. I think in Ewa, we still have areas where there are corn fields and are slated for future development. I think this is the best time to create those roundabouts because we still have room to put them in."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Just as a comment, the roundabout that we do have here in the city, I think, people have experienced this in the upper part of Keeaumoku Street. It took a little bit of adjustment for some people, but it's actually been very successful, I think. And I think we should encourage this type of better design. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 108, entitled: "SENATE CONCURRENT RESOLUTION ENCOURAGING THE DEPARTMENT OF TRANSPORTATION AND COUNTY TRANSPORTATION AGENCIES TO ACTIVELY SEEK OPPORTUNITIES TO CONSTRUCT MORE ROUNDABOUTS INSTEAD OF SIGNALIZED, RIGHT-ANGLE INTERSECTIONS IN THE STATE," was referred to the Committee on Finance with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

Representatives Souki and Ito, for the Committee on Transportation and the Committee on Water, Land, Ocean Resources & Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1960-08), recommending that S.C.R. No. 59, SD 1, 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 S.C.R. No. 59, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES IN COOPERATION WITH THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH A WORKING GROUP OF STAKEHOLDERS TO CONDUCT A STUDY AS TO THE FEASIBILITY OF PROVIDING A PERMANENT PORT AND DOCK FACILITY FOR THE VOYAGING CANOES HOKULE‘A, MAKALI‘I, HOKUALAKA‘I, NANAHOE, AND MO‘OKIHA AND TO RECOMMEND A LOCATION FOR SUCH A FACILITY," was referred to the Committee on Finance with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

CONFERENCE COMMITTEE REPORTS

Representatives Evans, Shimabukuro and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2345, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 24-08) recommending that S.B. No. 2345, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 24-08 and S.B. No. 2345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," was deferred for a period of 48 hours.

Representatives Ito and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1891, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 25-08) recommending that S.B. No. 1891, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 25-08 and S.B. No. 1891, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Representatives Shimabukuro, Sonson and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3061, HD 1, presented a report (Conf. Com. Rep. No. 26-08) recommending that S.B. No. 3061, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 26-08 and S.B. No. 3061, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2456, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 27-08) recommending that S.B. No. 2456, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27-08 and S.B. No. 2456, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," was deferred for a period of 48 hours.

Representatives Takumi and Sonson, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2449, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 28-08) recommending that S.B. No. 2449, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 28-08 and S.B. No. 2449, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Shimabukuro, B. Oshiro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3051, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 29-08) recommending that S.B. No. 3051, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 29-08 and S.B. No. 3051, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," was deferred for a period of 48 hours.

Representatives Green, Evans, Herkes and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2373, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 30-08) recommending that S.B. No. 2373, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 30-08 and S.B. No. 2373, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," was deferred for a period of 48 hours.

Representatives Takumi, Sonson and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2080, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 31-08) recommending that S.B. No. 2080, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 31-08 and S.B. No. 2080, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," was deferred for a period of 48 hours.

Representatives B. Oshiro and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2785, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 32-08) recommending that S.B. No. 2785, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 32-08 and S.B. No. 2785, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," was deferred for a period of 48 hours.

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3092, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 33-08) recommending that S.B. No. 3092, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 33-08 and S.B. No. 3092, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," was deferred for a period of 48 hours.

Representatives Yamane, Ito, Takumi and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2499, HD 1, presented a report (Conf. Com. Rep. No. 34-08) recommending that S.B. No. 2499, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 34-08 and S.B. No. 2499, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," was deferred for a period of 48 hours.

Representatives Chang, Morita, Ito, Yamashita, Shimabukuro and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2833, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 35-08) recommending that S.B. No. 2833, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 35-08 and S.B. No. 2833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT

RELATING TO SUSTAINABILITY," was deferred for a period of 48 hours.

Representatives Green and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1802, HD 1, presented a report (Conf. Com. Rep. No. 36-08) recommending that S.B. No. 1802, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 36-08 and S.B. No. 1802, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Representatives Green, B. Oshiro and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2396, SD 1, HD 3, presented a report (Conf. Com. Rep. No. 37-08) recommending that S.B. No. 2396, SD 1, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 37-08 and S.B. No. 2396, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," was deferred for a period of 48 hours.

Representatives Shimabukuro and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2212, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 38-08) recommending that S.B. No. 2212, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 38-08 and S.B. No. 2212, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," was deferred for a period of 48 hours.

Representatives Yamashita and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2867, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 39-08) recommending that S.B. No. 2867, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 39-08 and S.B. No. 2867, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," was deferred for a period of 48 hours.

Representatives Morita, Herkes and Carroll, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3001, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 40-08) recommending that S.B. No. 3001, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 40-08 and S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," was deferred for a period of 48 hours.

Representatives Evans, B. Oshiro and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2341, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 41-08) recommending that S.B. No. 2341, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 41-08 and S.B. No. 2341, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Green and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1487, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 42-08) recommending that S.B. No. 1487, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 42-08 and S.B. No. 1487, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

Representatives B. Oshiro and Green, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2363, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 43-08) recommending that S.B. No. 2363, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 43-08 and S.B. No. 2363, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," was deferred for a period of 48 hours.

Representatives Green, B. Oshiro and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2157, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 44-08) recommending that S.B. No. 2157, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 44-08 and S.B. No. 2157, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," was deferred for a period of 48 hours.

Representative B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3203, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 45-08) recommending that S.B. No. 3203, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 45-08 and S.B. No. 3203, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," was deferred for a period of 48 hours.

Representatives Yamashita and B. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2825, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 46-08) recommending that S.B. No. 2825, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 46-08 and S.B. No. 2825, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," was deferred for a period of 48 hours.

Representatives Ito and Waters, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 6, HD 2, presented a report (Conf. Com. Rep. No. 47-08) recommending that S.B. No. 6, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 47-08 and S.B. No. 6, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," was deferred for a period of 48 hours.

Representative Yamashita, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2827, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 48-08) recommending that S.B. No. 2827, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 48-08 and S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," was deferred for a period of 48 hours.

Representatives Takumi, Sonson and Magaoay, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2163, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 49-08) recommending that S.B. No. 2163, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 49-08 and S.B. No. 2163, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," was deferred for a period of 48 hours.

Representatives Yamashita, Morita and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1793, SD 1, HD 1, presented a report (Conf. Com. Rep. No. 50-08) recommending that S.B. No. 1793, SD 1, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 50-08 and S.B. No. 1793, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," was deferred for a period of 48 hours.

Representatives Shimabukuro and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2492, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 66-08) recommending that H.B. No. 2492, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 66-08 and H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," was deferred for a period of 48 hours.

Representatives Chang and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2245, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 67-08) recommending that H.B. No. 2245, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 67-08 and H.B. No. 2245, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was deferred for a period of 48 hours.

Representatives Sonson and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1365, SD 2, presented a report (Conf. Com. Rep. No. 68-08) recommending that H.B. No. 1365, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 68-08 and H.B. No. 1365, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 660, SD 1, presented a report (Conf. Com. Rep. No. 69-08) recommending that H.B. No. 660, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 69-08 and H.B. No. 660, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2697, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 70-08) recommending that H.B. No. 2697, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 70-08 and H.B. No. 2697, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," was deferred for a period of 48 hours.

Representative B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2730, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 71-08) recommending that H.B. No. 2730, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 71-08 and H.B. No. 2730, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," was deferred for a period of 48 hours.

Representatives Yamashita, Herkes and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2253, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 72-08) recommending that H.B. No. 2253, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 72-08 and H.B. No. 2253, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," was deferred for a period of 48 hours.

Representatives Morita and Herkes, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2550, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 73-08) recommending that H.B. No. 2550, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 73-08 and H.B. No. 2550, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," was deferred for a period of 48 hours.

Representative B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2557, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 74-08) recommending that H.B. No. 2557, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 74-08 and H.B. No. 2557, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," was deferred for a period of 48 hours.

Representatives Ito and B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1832, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 75-08) recommending that H.B. No. 1832, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 75-08 and H.B. No. 1832, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," was deferred for a period of 48 hours.

Representative Ito, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2486, SD 1, presented a report (Conf. Com. Rep. No. 76-08) recommending that H.B. No. 2486, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 76-08 and H.B. No. 2486, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," was deferred for a period of 48 hours.

Representatives Herkes and Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2920, SD 1, presented a report (Conf. Com. Rep. No. 77-08) recommending that H.B. No. 2920, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 77-08 and H.B. No. 2920, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1153, SD 1, presented a report (Conf. Com. Rep. No. 78-08) recommending that H.B. No. 1153, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 78-08 and H.B. No. 1153, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2204, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 79-08) recommending that H.B. No. 2204, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 79-08 and H.B. No. 2204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3002, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 80-08) recommending that H.B. No. 3002, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 80-08 and H.B. No. 3002, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," was deferred for a period of 48 hours.

Representative Waters, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3383, SD 1, presented a report (Conf. Com. Rep. No. 81-08) recommending that H.B. No. 3383, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 81-08 and H.B. No. 3383, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," was deferred for a period of 48 hours.

Representative B. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3040, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 82-08) recommending that H.B. No. 3040, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 82-08 and H.B. No. 3040, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Tsuji and Hanohano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2977, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 83-08) recommending that H.B. No. 2977, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 83-08 and H.B. No. 2977, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Representatives Ito and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3173, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 84-08) recommending that H.B. No. 3173, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 84-08 and H.B. No. 3173, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," was deferred for a period of 48 hours.

Representatives Ito, Waters and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3177, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 85-08) recommending that H.B. No. 3177, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 85-08 and H.B. No. 3177, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," was deferred for a period of 48 hours.

Representatives Shimabukuro, B. Oshiro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2977, SD 1, HD 2, presented a report (Conf. Com. Rep. No. 101-08) recommending that S.B. No. 2977, SD 1, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 101-08 and S.B. No. 2977, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," was deferred for a period of 48 hours.

Representatives Yamashita, Shimabukuro and Rhoads, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2840, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 102-08) recommending that S.B. No. 2840, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 102-08 and S.B. No. 2840, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," was deferred for a period of 48 hours.

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

H.B. No. 2261, H.D. 2, S.D. 1
H.B. No. 2770, H.D. 1, S.D. 2
H.B. No. 2917, H.D. 2, S.D. 1
H.B. No. 2965, H.D. 2, S.D. 2
H.B. No. 3151, H.D. 2, S.D. 1

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 2261, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2261, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Tsuji, Hanohano and Brower). Noes, none. Excused, 2 (Morita and Meyer).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2261, H.D. 2 and H.B. No. 2261, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

H.B. No. 2770, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2770, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Rhoads, Hanohano, Awana and Ward). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2770, H.D. 1 and H.B. No. 2770, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO BRIDGE TO HOPE PROGRAM," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

H.B. No. 2917, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2917, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Ito, Souki, Karamatsu and Brower). Noes, none. Excused, 1 (Meyer).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2917, H.D. 2 and H.B. No. 2917, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

H.B. No. 2965, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2965, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Tsuji, Ito, Herkes and Hanohano). Noes, none. Excused, 1 (Ching).

Representative Caldwell moved that H.B. No. 2965, HD 2, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2965, H.D. 2 and H.B. No. 2965, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL WATER SECURITY," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

H.B. No. 3151, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3151, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Morita, Carroll and Thielen). Noes, none. Excused, 1 (Sagum).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3151, H.D. 2 and H.B. No. 3151, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC PERMITTING FEE," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, M. Oshiro and Takai being excused.

At 7:00 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2261, H.D. 2, S.D. 1
H.B. No. 2770, H.D. 1, S.D. 2
H.B. No. 2917, H.D. 2, S.D. 1
H.B. No. 2965, H.D. 2, S.D. 2
H.B. No. 3151, H.D. 2, S.D. 1

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Bertram, Chong, Nakasone, M. Oshiro and Takai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

H.B. No. 2164, HD 1, SD 1
H.B. No. 2224, HD 1, SD 2
H.B. No. 2271, HD 1, SD 2
H.B. No. 2547, SD 1
H.B. No. 2614, SD 1
H.B. No. 2929, HD 1, SD 1
H.B. No. 2954, SD 1
H.B. No. 2955, HD 1, SD 1
H.B. No. 2971, HD 1, SD 2
H.B. No. 3085, HD 2, SD 1
H.B. No. 3191, HD 1, SD 2

LATE INTRODUCTION

Representative Sagum introduced Mr. Ken Kawahara, Deputy Director of the Department of Land and Natural Resources. He was accompanied by his wife, Mrs. Wendy Kawahara, and daughter, Miss Miki Kawahara.

ANNOUNCEMENTS

Representative Brower: "Mr. Speaker, I would just like to remind the Members that on Monday, we have a legislators' prayer breakfast at 8:00 a.m. in Room 329. And with some of the contentious issues this year, maybe we can do an exorcism or two. Thank you."

Representative Caldwell: "Mr. Speaker, it seems like around this time of year, every year, we celebrate someone's birthday. And I kind of forgot about this year, but in Conference today, I saw a donut with some ice cream and a candle stuck it, and it was sitting in front of Speaker Emeritus Joe Souki.

"So I think it's another birthday for him, and every year he grows smarter, younger and more vigorous, and I wanted to wish him the best from all the Members of the House. Thank you."

At this time, Representative B. Oshiro moved to keep the Journal open until 12:00 midnight this legislative day, seconded by Representative Meyer and carried. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

At 7:05 o'clock p.m., on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives stood in recess until 10:00 o'clock a.m., Tuesday, April 29, 2008. (Representatives Bertram, Nakasone, M. Oshiro and Takai were excused.)

CONFERENCE COMMITTEE REPORTS

In accordance with the motion made, the following Conference Committee Reports (Conf. Com. Rep. Nos. 86-08 through 100-08; 103-08 through 138-08; and 151-08 through 164-08) were received by the Clerk prior to 12:00 o'clock midnight this legislative day and the following action taken:

Conf. Com. Rep. No. 86-08 and H.B. No. 2062, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 87-08 and H.B. No. 2761, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 88-08 and H.B. No. 2772, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 89-08 and H.B. No. 2520, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 90-08 and H.B. No. 2366, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 91-08 and H.B. No. 2372, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 92-08 and H.B. No. 2272, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 93-08 and H.B. No. 2386, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 94-08 and H.B. No. 2388, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 95-08 and H.B. No. 3331, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 96-08 and H.B. No. 2519, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 97-08 and H.B. No. 2727, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 98-08 and H.B. No. 3175, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 99-08 and H.B. No. 3179, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 100-08 and H.B. No. 3174, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 103-08 and S.B. No. 2879, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 104-08 and S.B. No. 2334, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 105-08 and S.B. No. 2055, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 106-08 and S.B. No. 3227, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 107-08 and S.B. No. 2876, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 108-08 and S.B. No. 2293, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 109-08 and S.B. No. 2961, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 110-08 and S.B. No. 2652, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 111-08 and S.B. No. 2668, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 112-08 and S.B. No. 2933, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 113-08 and S.B. No. 3076, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 114-08 and S.B. No. 2768, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 115-08 and S.B. No. 2826, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 116-08 and S.B. No. 2824, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 117-08 and S.B. No. 3009, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 118-08 and S.B. No. 3102, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 119-08 and S.B. No. 2365, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 120-08 and S.B. No. 2663, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 121-08 and S.B. No. 2004, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 122-08 and S.B. No. 2041, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 123-08 and S.B. No. 1526, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 124-08 and S.B. No. 2218, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 125-08 and S.B. No. 2262, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 126-08 and H.B. No. 3178, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 127-08 and H.B. No. 2438, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 128-08 and H.B. No. 94, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 129-08 and H.B. No. 2978, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 130-08 and H.B. No. 2972, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 131-08 and H.B. No. 3386, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 132-08 and H.B. No. 661, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 133-08 and H.B. No. 2763, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 134-08 and H.B. No. 2781, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 135-08 and H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 136-08 and H.B. No. 2700, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 137-08 and H.B. No. 118, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 138-08 and H.B. No. 2739, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 151-08 and S.B. No. 2803, SD 1, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 152-08 and S.B. No. 2878, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 153-08 and S.B. No. 988, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 154-08 and S.B. No. 2150, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 155-08 and S.B. No. 2830, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 156-08 and S.B. No. 3255, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 157-08 and S.B. No. 69, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 158-08 and S.B. No. 2314, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 159-08 and S.B. No. 2542, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 160-08 and S.B. No. 2459, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO REMOTE DISPENSING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 161-08 and S.B. No. 3069, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 162-08 and S.B. No. 3171, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 163-08 and S.B. No. 2546, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

Conf. Com. Rep. No. 164-08 and S.B. No. 2843, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," were placed on the Calendar for Final Reading on Tuesday, April 29, 2008.

ADJOURNMENT

At 12:00 o'clock midnight, the House of Representatives adjourned until 10:00 o'clock a.m., Tuesday, April 29, 2008.

HOUSE COMMUNICATIONS

"HOUSE OF REPRESENTATIVES
STATE OF HAWAII
STATE CAPITOL

HONOLULU. HAWAII 96813

April 26, 2008
1:00 a.m.

MEMORANDUM

TO: All House Members

FROM: Speaker Calvin K.Y. Say /s/

RE: Extension of Conference Committee Report Filing Deadline

In January of this year, the Senate President and I prepared an internal legislative timetable, setting April 25th as the last day to file fiscal bills to deck for Final Reading. A few weeks ago the President and I signed the Conference Committee Guidelines that provides, in paragraph 11(c) that all Conference Committee reports shall be filed by 11:30 p.m. on Friday, April 25th.

However, several measures were being negotiated throughout the evening on April 25th. Several Conference Committees, even though they had reached agreement on the substance of these measures, did not have the time to prepare and adequately review the reports and the final form of the Conference Drafts prior to the filing deadline.

Therefore, the President and I are exercising our powers under Rule 13 of the Conference Committee Guidelines, to make an exception to this deadline for the bills that were agreed to and voted upon in Conference Room 309. A list of these measures is available in the House Clerk's Office.

The President and I granted this exception to provide the Conference members with an opportunity to ensure that the Conference Committee reports and the Conference drafts reflect the agreements reached on Friday evening.

The President and I felt that since the Conferees had reached timely agreement on these bills, allowing these bills to die based on an internal procedural deadline for filing paperwork with the Clerks' Offices, is not in the best interest of the people of Hawaii.

For the bills agreed to and voted on, the Clerks of the respective Chambers shall accept Conference drafts between the hours of 10:00 p.m. [*sic*] and 12:00 noon tomorrow Saturday, April 26th.

I wish to emphasize that previous Legislatures, when facing similar problems in past years, have followed the same procedure we will follow with these measures."

House Communication dated April 25, 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 made the following changes to the conferees on the following measure:

S.B. No. 2768, SD 2 HD 1	Discharged Representatives Bertram and Carroll

House Communication dated April 25, 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 following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 2511, HD 1, SD 2, CD 1
H.B. No. 2810, HD 1, SD 1, CD 1
S.B. No. 2146, SD 2, HD 1, CD 1
S.B. No. 2170, SD 1, HD 1, CD 1
S.B. No. 2245, SD 1, HD 2, CD 1
S.B. No. 3008, SD 2, HD 1, CD 1
S.B. No. 3023, SD 2, HD 2, CD 1

House Communication dated April 25, 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 this day agreed to the amendment made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 2261, H.D. 2, S.D. 1
H.B. No. 2770, H.D. 1, S.D. 2
H.B. No. 2917, H.D. 2, S.D. 1
H.B. No. 2965, H.D. 2, S.D. 2
H.B. No. 3151, H.D. 2, S.D. 1

House Communication dated April 25, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on March 28, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 2954, SD 1

House Communication dated April 25, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 4, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 3085, HD 2, SD 1

House Communication dated April 25, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 2164, HD 1, SD 1
H.B. No. 2224, HD 1, SD 2
H.B. No. 2271, HD 1, SD 2
H.B. No. 2547, SD 1
H.B. No. 2614, SD 1
H.B. No. 2929, HD 1, SD 1
H.B. No. 2955, HD 1, SD 1
H.B. No. 2971, HD 1, SD 2
H.B. No. 3191, HD 1, SD 2

FIFTY-NINTH DAY

Tuesday, April 29, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 10:08 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Father Marc Alexander, Vicar General of the Roman Catholic Diocese, after which the Roll was called showing all members present with the exception of Representative Nakasone, who was excused.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Eighth Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 334 through 336) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 334, dated April 25, 2008, transmitting the Report on Homeless Services for Fiscal Year 2006-2007, pursuant to Act 213, Part III, Section 62.

Gov. Msg. No. 335, informing the House that on April 28, 2008, the following bill was signed into law:

H.B. No. 2517, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES." (ACT 040)

Gov. Msg. No. 336, dated April 25, 2008, transmitting the Hawaii Health Systems Corporation Report to the Legislature on the annual audit and report for FY 2007; disclosure of revenue projections for FY08; and capital improvement projects for FY 2008; pursuant to Chapter 323F-22.

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 718 through 722) were received and announced by the Clerk:

Sen. Com. No. 718, transmitting H.C.R. No. 16, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNITED STATES CONGRESS TO RATIFY THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN," which was adopted by the Senate on April 25, 2008.

Sen. Com. No. 719, transmitting H.C.R. No. 112, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES AND THE COUNTY OF HAWAII TO PREPARE A COORDINATED, COMPREHENSIVE PLAN TO ADDRESS THE NEEDS AND CONCERNS OF THE LESSEES FACING EVICTION UPON THE EXPIRATION OF THE LEASES AT THE KANOELEHUA INDUSTRIAL PARK," which was adopted by the Senate on April 25, 2008.

Sen. Com. No. 720, transmitting H.C.R. No. 258, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF STATE PLANNING TO COORDINATE THE CITY AND STATE AGENCIES IN ADDRESSING THE OVERGROWTH OF VEGETATION ON KAHALA BEACH," which was adopted by the Senate on April 25, 2008.

Sen. Com. No. 721, transmitting H.C.R. No. 71, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE BOARD OF EDUCATION TO STUDY SCHOOL BUS SEAT BELT POLICIES AND COMPILE DATA RELATING TO SCHOOL BUS SAFETY AND TO REPORT TO THE LEGISLATURE WITH RECOMMENDATIONS," which was adopted by the Senate on April 25, 2008.

Sen. Com. No. 722, dated, April 25, 2008, informing the House that the Senate has on April 24, 2008, reconsidered its action taken on April 23, 2008, in disagreeing to the amendment proposed by the House to the following Senate Concurrent Resolution and has moved to agree to the amendments and that said resolution has this day been Adopted:

S.C.R. No. 124, SD 1, HD 1	"REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF HUMAN SERVICES MEDICAID-SPONSORED PROGRAMS."

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Cabanilla introduced members of her staff, Mr. Daniel DeGracia, II, and Mr. Christopher Manabat.

Representative Ching introduced the 3rd grade students of Likelike Elementary School and their teachers, Ms. Debbie Ng, Ms. Carine Mayeda, and Ms. Angie Catorie; and Special Education Aide, Ms. Brenda Zamora.

Representative Sonson recognized a member of the HPU Co-ed Cheer and Dance Team coaching staff, and acknowledged the award-winning team.

At 10:18 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:41 o'clock a.m.

ORDER OF THE DAY

SUPPLEMENTAL CALENDAR #1

At this time, the Chair announced:

"Members, please turn your attention to your Supplemental Calendar #1. As you know, the Senate President and I waived the Friday midnight deadline for the filing of Committee Reports and Conference Drafts for certain measures which were agreed upon in public on Friday evening. I wanted to take this opportunity to explain the procedural reasons why these Reports and proposed drafts were not filed on Friday night, and the reasons why the President and I waived the deadline.

"Back in December of 2007, the Senate President and I prepared an internal Legislative Timetable, setting April 25, 2008 as the last day to file fiscal bills for constitutional decking purposes prior to Final Reading. On April 2nd of this year, the President and I also signed the Conference Committee Guidelines that provided in paragraph 11c that all Conference Committee Reports for fiscal bills should be filed by 11:30 p.m. on Friday, April 25th.

"I believe all of you realize however, that several measures were being negotiated up to the last few minutes before midnight on Friday night. Several Conference Committees, even though they had reached agreement on the substance of the measure, did not have the time to prepare and adequately review the Conference Committee Reports and the final form of the Conference drafts

prior to the filing deadline. Therefore, the President and I exercised our powers under Rule 13 of the Conference Committee Guidelines for an exception to this deadline for these measures, which were agreed upon in public. We allowed these measures to be filed with the respective Clerk's Offices between 10 a.m. and 12 noon on Saturday, April 26.

"The President and I felt that since the Conferees had reached a timely agreement on their bills, allowing these measures to die based on an internal procedural deadline for filing the requisite paper work with the Clerk's Office in each Chamber was not in the best interest for the people of the State of Hawaii. Rather we felt it was incumbent and important to exercise the discretion that the guidelines gave us to waive that deadline and ensure that important initiatives, such as pedestrian safety, important agricultural lands management, renewable energy, and highway safety would reach the Floor of both Chambers for Final Reading as the Conference Committees intended.

"I wish to emphasize that previous Legislatures, when facing similar situations in the past, have followed the same procedure we will be following with these measures. The Conference Committee Reports and Conference drafts for the measures received by 12 noon on Saturday, April 26 are listed on today's Supplemental Order of the Day. Please note that these measures, and any Floor Amendments appropriately offered and acted upon today on these measures, will receive the required 48-hour notice of final form as required by our State Constitution and will therefore be before this Chamber for Final Reading on Thursday, May 1.

"At this time the Chair will entertain any Floor Amendments to any item listed on the Supplemental Order of the Day."

Representative Marumoto rose to a point of information, stating:

"Mr. Speaker, a point of information. The memo was not unusual. We have seen this procedure before, but I do believe the memo read that Committee Reports would be accepted Saturday, April 26 between 10 p.m. and noon."

The Chair responded, stating:

"No, it should be 10 a.m. in the morning."

Representative Marumoto: "It did say 10 p.m., so it would be a typographical error. Is that correct?"

Speaker Say: "That is correct. If it is a typographical error, at this point, I really don't know. But on Friday evening, it was stated that from 10 a.m. to 12 noon, that the Clerk's Office would be open to receive measures for filing."

At 10:47 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:48 o'clock a.m.

Representatives Souki, Waters and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3377, SD 2, presented a report (Conf. Com. Rep. No. 139-08) recommending that H.B. No. 3377, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 139-08 and H.B. No. 3377, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," was deferred for a period of 48 hours.

Representatives Souki and Carroll, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2531, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 140-08) recommending that H.B. No. 2531, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 140-08 and H.B. No. 2531, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," was deferred for a period of 48 hours.

Representatives Souki and Lee, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 357, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 141-08) recommending that H.B. No. 357, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 141-08 and H.B. No. 357, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," was deferred for a period of 48 hours.

Representatives Tsuji, Souki, Morita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2843, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 142-08) recommending that H.B. No. 2843, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 142-08 and H.B. No. 2843, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," was deferred for a period of 48 hours.

Representatives Tsuji, Yamashita and Hanohano, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3120, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 143-08) recommending that H.B. No. 3120, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 143-08 and H.B. No. 3120, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," was deferred for a period of 48 hours.

Representatives Tsuji, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2293, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 144-08) recommending that H.B. No. 2293, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 144-08 and H.B. No. 2293, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," was deferred for a period of 48 hours.

Representatives Green, Shimabukuro, Magaoay and Mizuno, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 3352, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 145-08) recommending that H.B. No. 3352, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 145-08 and H.B. No. 3352, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," was deferred for a period of 48 hours.

Representatives Morita, Ito, Herkes and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2863, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 146-08) recommending that H.B. No. 2863, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 146-08 and H.B. No. 2863, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," was deferred for a period of 48 hours.

Representatives Morita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2505, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 147-08) recommending that H.B. No. 2505, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 147-08 and H.B. No. 2505, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," was deferred for a period of 48 hours.

Representatives Morita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2507, HD 1, SD 2, presented a report (Conf. Com. Rep. No. 148-08) recommending that H.B. No. 2507, HD 1, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 148-08 and H.B. No. 2507, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," was deferred for a period of 48 hours.

Representatives Ito and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2872, SD 2, presented a report (Conf. Com. Rep. No. 149-08) recommending that H.B. No. 2872, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 149-08 and H.B. No. 2872, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," was deferred for a period of 48 hours.

Representatives Ito, Waters and Karamatsu, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2704, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 150-08) recommending that H.B. No. 2704, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 150-08 and H.B. No. 2704, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," was deferred for a period of 48 hours.

Representatives Tsuji, Morita and Hanohano, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2850, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 165-08) recommending that S.B. No. 2850, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 165-08 and S.B. No. 2850, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," was deferred for a period of 48 hours.

Representatives Waters and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 156, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 166-08) recommending that S.B. No. 156, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 166-08 and S.B. No. 156, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," was deferred for a period of 48 hours.

Representatives Shimabukuro, Ito and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3174, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 167-08) recommending that S.B. No. 3174, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 167-08 and S.B. No. 3174, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," was deferred for a period of 48 hours.

Representatives Takumi, Sonson and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 3252, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 168-08) recommending that S.B. No. 3252, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 168-08 and S.B. No. 3252, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," was deferred for a period of 48 hours.

Representatives Shimabukuro, Morita, Yamashita and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 644, SD 3, HD 3, presented a report (Conf. Com. Rep. No. 169-08) recommending that S.B. No. 644, SD 3, HD 3, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 169-08 and S.B. No. 644, SD 3, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," was deferred for a period of 48 hours.

Representatives Takumi, Carroll and Lee, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 871, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 170-08) recommending that S.B. No. 871, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 170-08 and S.B. No. 871, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," was deferred for a period of 48 hours.

Representatives Evans and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2082, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 171-08) recommending that S.B. No. 2082, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 171-08 and S.B. No. 2082, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," was deferred for a period of 48 hours.

Representatives Waters, Souki and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 1804, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 172-08) recommending that S.B. No. 1804, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 172-08 and S.B. No. 1804, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," was deferred for a period of 48 hours.

Representatives Evans, Waters and Har, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2083, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 173-08) recommending that S.B. No. 2083, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 173-08 and S.B. No. 2083, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF ADULT OFFENDERS," was deferred for a period of 48 hours.

Representatives Ito, Yamane and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2423, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 174-08) recommending that S.B. No. 2423, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 174-08 and S.B. No. 2423, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," was deferred for a period of 48 hours.

Representatives Tsuji and M. Oshiro, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2915, SD 2, HD 1, presented a report (Conf. Com. Rep. No. 175-08) recommending that S.B. No. 2915, SD 2, HD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 175-08 and S.B. No. 2915, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," was deferred for a period of 48 hours.

Representatives Ito, Tsuji and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2198, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 176-08) recommending that S.B. No. 2198, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 176-08 and S.B. No. 2198, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," was deferred for a period of 48 hours.

Representatives Ito, Tsuji and Karamatsu, for the Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House in S.B. No. 2646, SD 2, HD 2, presented a report (Conf. Com. Rep. No. 177-08) recommending that S.B. No. 2646, SD 2, HD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 177-08 and S.B. No. 2646, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," was deferred for a period of 48 hours.

Representative M. Oshiro, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 1412, HD 1, SD 1, presented a report (Conf. Com. Rep. No. 178-08) recommending that H.B. No. 1412, HD 1, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 178-08 and H.B. No. 1412, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES," was deferred for a period of 48 hours.

Conf. Com. Rep. No. 144-08 and H.B. No. 2293, HD 1, SD 2, CD 1:

At this time, Representative Tsuji offered Floor Amendment No. 4, amending H.B. No. 2293, HD 1, SD 2, CD 1, as follows:

SECTION 1. House Bill No. 2293, H.D. 1, S. D. 2, C. D. 1, is amended by amending Section 9 to read as follows:

"SECTION 9. If an agreement to acquire the property identified in section 8 of this Act is not reached within a reasonable time as determined by the department of land and natural resources, the department of land and natural resources shall exercise its power of eminent domain to acquire the property. For purposes of this Act, condemnation of the property shall not be subject to legislative disapproval; provided that the cost of acquiring the lands described in this Act does not exceed the amount of funds appropriated or authorized pursuant to section 10 of this Act and the Supplemental Appropriations Act of 2008."

Representative Tsuji moved that Floor Amendment No. 4 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 4, amending H.B. No. 2293, HD 1, SD 2, CD 1, entitled: "RELATING TO AGRICULTURE," was adopted with Representative Nakasone being excused.

At 10:50 o'clock a.m., the Chair noted that Floor Amendment No. 4 was adopted, and that H.B. No. 2293, HD 1, SD 2, CD 2,

would be placed on the calendar for action on Thursday, May 1, 2008.

At 10:50 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 10:52 o'clock a.m.

Conf. Com. Rep. No. 149-08 and H.B. No. 2872, SD 2, CD 1:

At this time, Representative Ito offered Floor Amendment No. 5, amending H.B. No. 2872, SD 2, CD 1, as follows:

SECTION 1. House Bill No. 2872, S.D. 2, C.D. 1, is amended by amending Section 2 to add "or permittees" and "or permittee" as follows:

(1) Page 1, line 12, "existing lessees or permittees";

(2) Page 2, line 9, "Existing lessees or permittees";

(3) Page 2, line 14, "each lessee or permittee";

(4) Page 2, line 17, "The lessee or permittee";

(5) Page 2, line 18, "the lessee or permittee"; and

(6) Page 2, line 20, "the lease or permit".

Representative Ito moved that Floor Amendment No. 5 be adopted, seconded by Representative B. Oshiro.

Representative Sagum rose to disclose a potential conflict of interest, stating:

"Mr. Speaker I wanted to disclose a potential conflict. The company that I'm employed with has a cabin," and the Chair ruled, "no conflict."

Representative Sagum continued in support of the proposed floor amendment, stating:

"Thank you. Mr. Speaker ,I rise in favor of the floor amendment. I'd like to support this friendly floor amendment to ensure that the proper language is inserted which refers to the present holders of the month to month leases of Kokee. Therefore the only change to this bill as revised is, it adds, 'existing lessees or permitees' to the bill. Thank you, Mr. Speaker."

The motion that Floor Amendment No. 5, amending H.B. No. 2872, SD 2, CD 1, entitled: "RELATING TO PUBLIC LANDS," be adopted was put to vote by the Chair and carried, with Representative Nakasone being excused.

At 10:53 o'clock a.m., the Chair noted that Floor Amendment No. 5 was adopted, and that H.B. No. 2872, SD 2, CD 2, would be placed on the calendar for action on Thursday, May 1, 2008.

Conf. Com. Rep. No. 176-08 and S.B. No. 2198, SD 2, HD 2, CD 1:

At this time, Representative Ito offered Floor Amendment No. 6, amending S.B. No. 2198, SD 2, HD 2, CD 1, as follows:

SECTION 1. Senate Bill No. 2198, S.D. 2, H.D. 2, C.D. 1, is amended by amending subsection (d) from page 2, line 19 through page 3, line 11, by changing the formatting on page 3, lines 10-11 to read as follows:

"(d) The amount of the tax credit shall be:

(1) Fifty per cent of the fair market value of the land or interest in land that an eligible taxpayer donates in perpetuity after December 31, 2007, for a conservation or preservation purpose to the State, or public or private conservation agency. The fair market value of donations made under this section shall be substantiated by a qualified appraisal prepared by a qualified appraiser, as those terms are defined under applicable federal law and regulations governing charitable contributions; or

(2) Fifty per cent of the amount invested in the management of land pursuant to subsection (b)(2),

up to a maximum of $1,000,000 in the aggregate for all qualified taxpayers for all years."

Representative Ito moved that Floor Amendment No. 6 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 6, amending S.B. No. 2198, SD 2, HD 2, CD 1, entitled: "RELATING TO LAND CONSERVATION," was adopted with Representative Nakasone being excused.

At 10:54 o'clock a.m., the Chair noted that Floor Amendment No. 6 was adopted, and that S.B. No. 2198, SD 2, HD 2, CD 2, would be placed on the calendar for action on Thursday, May 1, 2008.

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 34-08 and S.B. No. 2499, HD 1, CD 1:

At this time, Representative Yamane offered Floor Amendment No. 7, amending S.B. No. 2499, HD 1, CD 1, as follows:

SECTION 1. Senate Bill No. 2499, H.D. 1, C.D. 1, Section 4, is amended by replacing the proposed new language requiring certain actions and certification of the office of Hawaiian affairs prior to the Act becoming effective, with the following language:

""SECTION 4. This Act shall take effect on [~~January 1, 2025.~~] July 1, 2008.""

Representative Yamane moved that Floor Amendment No. 7 be adopted, seconded by Representative B. Oshiro.

Representative Yamane rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I rise in strong support for this floor amendment. However I did want to speak on the intent of why the initial language was put into the bill. Mr. Speaker, when we were working on making kalo the State plant, there was much discussion among our colleagues about the issue of this important situation due to the discussions over taro these past two years. So Mr. Speaker, I did some research and I pulled one of the old books, written by Mary Kawena Pukui.

"I went back and I read and spent some time doing research on the importance of taro to the Hawaiian people. And through the research I learned about Wakea, the Sky Father, and his wife Papa, and having the *kalo*, Haloa, and its importance to the Hawaiian people. I felt, along with others, that if we made this the State

plant, it would be appropriate to have discussions amongst the peoples of the State of Hawaii.

"Mr. Speaker, the intent of putting that language into the bill was not to show that we did not feel that this was an important task to do. However, on the contrary, it was trying to show that we wanted this to be done in the most appropriate way with the most sensitivity possible. However Mr. Speaker, I do know that it would be best at this time to move this amendment forward to make this our State plant, effective immediately. Thank you."

The motion was put to vote by the Chair and carried, and Floor Amendment No. 7, amending S.B. No. 2499, HD 1, CD 1, entitled: "RELATING TO TARO," was adopted with Representative Nakasone being excused.

At 10:57 o'clock a.m., the Chair noted that Floor Amendment No. 7 was adopted, and that S.B. No. 2499, HD 1, CD 2, would be placed on the calendar for action on Thursday, May 1, 2008.

Conf. Com. Rep. No. 47-08 and S.B. No. 6, HD 2, CD 1:

At this time, Representative Ito offered Floor Amendment No. 8, amending S.B. No. 6, HD 2, CD 1, as follows:

SECTION 1. S.B. No. 6, H.D. 2, C.D. 1, is amended by amending subsection (b) of the new section added to chapter 188, Hawaii Revised Statutes, contained in section 2 of the bill to read as follows:

"(b) It shall be unlawful for any person at any time of the year to take, harvest, or possess opihi from below the waterline of any coastal area or nearshore waters of the islands of the State."

SECTION 2. S.B. No. 6, H.D. 2, C.D. 1, is amended by amending subsection (d) of the new section added to chapter 188, Hawaii Revised Statutes, contained in section 2 of the bill to read as follows:

"(d) It shall be unlawful for any person to take or harvest opihi from above the waterline of the coastal areas or nearshore waters of the State or be in possession of opihi within the State during the closed season from April 1st through September 30th, provided that frozen opihi taken or harvested from above the waterline during the open season from October 1st to March 31st may be possessed for sale or consumption during the closed season."

Representative Ito moved that Floor Amendment No. 8 be adopted, seconded by Representative B. Oshiro.

The motion was put to vote by the Chair and carried, and Floor Amendment No. 8, amending S.B. No. 6, HD 2, CD 1, entitled: "RELATING TO OPIHI," was adopted with Representative Nakasone being excused.

At 10:58 o'clock a.m., the Chair noted that Floor Amendment No. 8 was adopted, and that S.B. No. 6, HD 2, CD 2, would be placed on the calendar for action on Thursday, May 1, 2008.

Conf. Com. Rep. No. 125-08 and S.B. No. 2262, SD 1, HD 2, CD 1:

At this time, Representative Sonson offered Floor Amendment No. 9, amending S.B. No. 2262, SD 1 HD 2, CD 1, as follows:

Section 1. Senate Bill No. 2262, S.D. 1, H.D. 2, C.D. 1, is amended by amending section 2 to clarify the reporting deadlines and the scope of the independent audit and state auditor's review at page 2, line 8 and lines 19-20, and page 3, lines 8-16, to read as follows:

"SECTION 2. (a) The board of trustees of the Hawaii employer-union health benefits trust fund shall conduct a certified independent financial audit of the Hawaii employer-union health benefits trust fund, pursuant to section 87A-24(7), Hawaii Revised Statutes, to cover the Hawaii State Teachers Association, retirees, employees, and employee-beneficiaries who have remained with the Hawaii employer-union health benefits trust fund whether in a bargaining unit or excluded from one, including the State and counties as the employer. The independent auditor shall consult with the state auditor for purposes of the audit to obtain the necessary information for purposes of subsection (b). The audit shall be completed no later than twenty days prior to the convening of the regular session of 2010. The findings and recommendations, including but not limited to methodology and actuarial assumptions, shall be presented to the State auditor for review.

(b) Based upon the independent financial audit under subsection (a), the state auditor shall make findings and recommendations concerning:

(1) The benefit cost for each benefit plan, including medical, drug, dental, and vision coverage; and

(2) Administrative cost for the Hawaii employer-union health benefits trust fund for the plan years July 1, 2006 to June 30, 2007, July 1, 2007 to June 30, 2008, and July 1, 2008 to June 30, 2009.

(c) The audit shall include an actuarial certification, to be made by the independent auditor contracted under subsection (a), of the benefit cost for each benefit plan, including medical, drug, dental, and vision, and administrative costs.

(d) Based upon the independent financial audit conducted under subsection (a), the state auditor shall make separate findings and recommendations for the Hawaii State Teachers Association voluntary employees' beneficiary association trust for the plan years July 1, 2006 to June 30, 2007, July 1, 2007 to June 30, 2008, and July 1, 2008 to June 30, 2009, in the same manner as set forth under subsections (a), (b), and (c).

(e) The state auditor shall submit a report of findings and recommendations to the legislature no later than twenty days prior to the convening of the regular session of 2010."

Representative Sonson moved that Floor Amendment No. 9 be adopted, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in support of the proposed floor amendment, stating:

"Mr. Speaker, I stand in support of this amendment. It's a friendly amendment. It is merely to conform the dates. At first, when the bill went through the process, we had given the VEBA Trust a two-year extension on its repeal date. Since it went to Conference, it was reduced to one year and the changes that are being offered through the floor amendment are merely to conform some of the dates to ensure that there's a required study that needs to be done and it will be submitted at the appropriate date and time. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and Floor Amendment No. 9, amending S.B. No. 2262, SD 1 HD 2, CD 1, entitled: "RELATING TO HEALTH," was adopted with Representative Nakasone being excused.

At 11:01 o'clock a.m., the Chair noted that Floor Amendment No. 9 was adopted, and that S.B. No. 2262, SD 1 HD 2, CD 2,

would be placed on the calendar for action on Thursday, May 1, 2008.

At 11:01 o'clock a.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 11:01 o'clock a.m.

SUSPENSION OF RULES

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the rules were suspended for the purpose of considering bills on Third Reading and Final Reading on the basis of a modified consent calendar. (Representative Nakasone was excused.)

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 135-08 and H.B. No. 2500, HD 1, SD 1, CD 1:

Representative M. Oshiro moved that the report of the Committee be adopted and that H.B. No. 2500, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative Lee.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this bill. First of all Mr. Speaker, I'd like to thank the Members of the Finance Committee for their hard work during this Session and during Conference. I'd also like to thank the Senate Ways and Means Members and staff, and especially Chair Baker and Vice Chair Tsutsui for their part during the Conference negotiations. I'd also like to thank the hard working Finance Committee staff: the analysts and the researchers, for their long hours and dedication. And finally Mr. Speaker I'd like to thank and extend my great appreciation to my Vice Chair, Marilyn Lee for her hard work and support.

"Mr. Speaker, we started this process back in December when the Governor submitted her Budget and the Financial Plan assuming that revenues for fiscal year 2008 would come in at 5.7 percent, the same as the projection of the Council on Revenues at that time. This was done Mr. Speaker, despite the fact that nationally and locally, there were signs of an economic slowdown. Tax collections to date, when the Governor submitted her budget, were at 4.5 percent, which translates approximately to 21 percent less revenue. This was 21 percent less revenue that the Governor chose not to reduce the budget by at that time.

"Instead Mr. Speaker, she left the difficult decisions for us to make. Indeed she made our choices and our job even more difficult when I sought the input from the various departments on where we might make some adjustments in the budget, where we might cut and where we might limit expenditures. And despite promising to work together, and the rhetoric about having reoccurring revenues aligned with recurring expenditures, the Governor continues to deficit spend.

"Mr. Speaker, I commend the House, because we stepped up to the plate, all of us, on both sides of the aisle, and made the difficult decisions contained in this budget starting with House Draft 1.

"Mr. Speaker, as you and many of us know, the Council on Revenues is currently projecting a 3.9 percent growth rate; however, the budget before is balanced on a 3.5 revenue growth rate assumption. This was agreed upon in Conference between the House and Senate Conferees.

"Mr. Speaker and Members you recall that last year I did a Top 10 list of why everyone should vote for the budget. And last year, you recall the Top 10 reasons were as follows. And these were, Mr. Speaker:

Number 10: Providing $190 million more to the Department of Education for items such as student transportation, food services and utility costs,

Number 9: $90 million more for the University of Hawaii, including items such as the Nursing Program at Manoa, and the College of Pharmacy at UH Hilo,

Number 8: Providing $195 million for health and human services programs through Medicaid, QUEST, adult mental health and early intervention services,

Number 7: Providing $68 million for homeless services, kitchen unit replacements in public housing, vacant unit turnaround for public housing, and an additional deposit into the Rental Housing Trust Fund,

Number 6: Appropriating $7.6 million to help critical community hospitals in Hana, Waianae, Molokai, Wahiawa and Kahuku,

Number 5: Providing $17.8 million for expansion of Emergency Medical Services, and the purchase of emergency medical equipment, ambulances and defibrillators,

Number 4: Providing $7.6 million in our war against invasive species. This includes the purchase of the victim manifest system to help target high-risk shipments for inspection, money to eradicate to Coqui frog, funding to fight the bee mite infestation, and more DOCARE officers to enforce our environmental laws."

Representative Chong rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Number 3: Providing $8.4 million to the Charter Schools,

Number 2: $50 million for the repair and maintenance of our public schools;

And again, from that budget last year, Number 1: It is $17.4 million less than the budget submitted by the Governor to the Legislature.

"But due to the budget cuts Mr. Speaker, this year I only have a Top 5 reasons to vote for the budget. Just five:

Number 5: The budget prioritizes education first. This budget provides 155 percent more money than the Governor provided for the repair and maintenance of our schools. The Governor included $26 million; while this budget provides $66.4 million for our schools.

This budget also provides 42 percent more than the Governor provided for the repair and maintenance of the University of Hawaii facilities. The Governor provided $50 million, while this budget provides $71.2 million.

And third Mr. Speaker, this budget provides a total of $57.7 million for the Charter Schools. That's $1.6 million more than the Governor provided in her budget, and $6.1 million more than they are currently receiving.

Number 4: This budget prioritizes health and human services by providing $10 million additional funding for adult mental health, $4.3 million for emergency medical services, $1.1 million for the Hawaii State Hospital, $5.7 million to draw down $7 million in federal funds for our hospitals to care for the uninsured.

It provides $5,000 to $85,000 to ensure that the State Children Health Insurance Program, S-CHIP, that coverage for children is not lapsed due to impending federal budget cuts or non-reauthorization of the same law.

The budget also provides $26 million for the completion of the Kukui Gardens purchase, thereby protecting the tenants from becoming homeless or dispossessed.

This budget provides $3.8 million for homeless services for Building 36 in Kalaeloa, Kakikolu in Waianae, and other existing services.

This budget provides $15 million in GO bonds to the Rental Housing Trust Fund, and $10 million in GO bonds to the Dwelling Unit Revolving Fund.

Number 3: This budget prioritizes public safety by providing $240,000 for Department of Justice compliance issues regarding mental health services at our correctional facilities.

It also provides $271,000 for the Hawaii Youth Correctional Facility to maintain compliance with the Department of Justice Memorandum of Agreement.

Number 2: This budget ensures that the Governor can release appropriations held hostage by the Governor; that is, 112 GIA applicants with grants totaling approximately $9 million in operating funds, and $24 million in CIP funds that were appropriated last year, still awaiting release by the Governor.

You might ask why the money hasn't been released for the Honolulu Symphony, Habitat for Humanity, Catholic Charities, Easter Seals, for the Salvation Army? This budget allows the Governor to release these monies and support these nonprofits that support our communities.

The Governor has refused to release about $43 million in appropriations and valuable initiatives passed by the Legislature last year. I'll cite some examples, Mr. Speaker.

Act 272 provided $250,000 to increase transparency in State government; that has not been released.

Act 147 provided $200,000 for perinatal care in our medical school; that has not been released.

Act 284 provided $8 million to increase Medicaid reimbursements to doctors, providing healthcare to the underinsured and uninsured; that has not been released."

Representative Sonson rose to yield his time, and the Chair "so ordered."

Representative M. Oshiro continued, stating:

"Thank you very much, Representative. I'm just about done, Mr. Speaker.

Act 237, provided $500,000 to increase low and moderate income family home ownership.

And Act 178 provided $84,000 for screening and referral to substance abuse services.

These are some examples of monies that have not bee released. This budget allows these innovative programs and Legislative initiatives to proceed without further delay.

And Number 1: This budget appropriates $44.7 million less in operating general funds than the Governor's budget.

"This is a responsible budget, Mr. Speaker. It is forward looking and holds spending down, while keeping its priorities very simple: education, health and human services, public safety, and community needs. I urge my colleagues for their support. Thank you."

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. When the Governor sent down HB 2500 prior to the beginning of this Session, it built on her vision for the future of Hawaii. Last year, the Governor articulated a bold vision for the future of Hawaii, a vision of innovation. She called for basing our economy on the most plentiful resource, our brains, and our innovation. She also called for bringing an end to the problem of homelessness. She called for bringing opportunity to those most in need through employment opportunities, as well as relief from the higher cost of living. Each innovative idea was funded through HB 2500.

"Through the process there were areas of common ground, limited advances for renewable energy; whether we talk about clotheslines, or allowing solar energy farming on agricultural lands is all and good. Funding incentives for important agricultural lands, an issue the Legislature really hasn't moved on since the 1978 Constitutional Convention is also a nice item. With the collaboration and desire to chart the future for Hawaii that was somewhat evident last year, is absent this year. The choices made in this budget turn away from innovation, and turn away from investment in our people. At the end of the day, this budget is more about repudiation of investing in our people, personal choice, and personal responsibility.

"I wanted to specifically address the Public Charter Schools because there were a lot of comments that were made in the budget's Committee Report. The comments reflect everyone else's missteps regarding Public Charter School funding, but it conveniently leaves out our part in this mess. The formula that we, the Legislature, passed out in 2007 was supposed to have clarified the way we spend, the way we fund public charter schools. Instead it lessened the base to calculate Charter School funding, setting up the Charter Schools for a smaller per pupil amount.

"The Committee Report states that overall, the Charter Schools are getting more money and DOE less money in this budget. What it forgets to present is that the 7 percent increase in overall funding for Charter Schools accompanies a 20 percent increase in Public Charter School enrollment. Parents are voting with their feet Mr. Speaker, and there are waiting lines for these innovative schools. What was approximately $8,000 per student last year, because of not having clarification in the budget formula, dropped to $7,200 per pupil, per student, and that is with the additional $1.6 million that the Legislature appropriated.

"We could have been a part of the solution. A purposeful effort was made to include in the law that the Legislature has the ability to add funding as it sees fit. And that was interesting because we knew we already have that. We have the ability to add the funding. But in that bill, in that law that passed, it specifically again addresses the Legislature to add more funding.

"Another thing is upon reading the provisos for the DOE and the Weighted Student Formula, I have introduce bills and resolutions to put this discussion of Weighted Student Formula on the table because I think it's a significant discussion to have. And like a

hawk I watched and advocated for this discussion to take place. I also presented what I felt was movement in the Weighted Student Formula by attending the Weighted Student Formula Committee meetings and speaking with others so that they could really just have ownership; not having us, the Legislature, continually micromanage the education system.

"I'll state what seems to me is behind the scenes, significant changes in policy take place. To my surprise, there are provisos that pull away from the education reform of Weighted Student Formula. It takes $20 million that was supposed to be transitional funding and it makes it recurring base funding. I'm not necessarily against that, but I would have loved to understand the discussion that would take place because the Weighted Student Formula and transitional funding is, I think, paramount in this discussion."

Representative Ching rose to yield her time, and the Chair "so ordered."

Representative Finnegan continued, stating:

"Mr. Speaker, I have just maybe two more minutes left. Thank you, Representative from Liliha.

"This leaves no change to take place. Then the Legislature starts to micromanage with the proviso that makes transient students a higher weight and adds money for it. This actually benefits my district Mr. Speaker, but that's not what we were supposed to do.

"We were supposed to step back and allow this to take place and guide. Not make a law. This step makes a mockery of the Weighted Student Formula that said we would step out, or we should step out. Educational reform translates to giving the authority and flexibility to the people that matter the most, the community of learners surrounding the students, the teachers in classrooms, the principles and the parents. Charter schools have done that. The Weighted Student Formula, I believe, is supposed to accomplish that. These budget provisos work against that. For these and other reasons, I am voting with strong reservations on this bill, Mr. Speaker."

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have pretty serious reservations for this bill. My support for this bill is almost to the point of being a no. The reason I'm not voting no is not what the House didn't do. It's what the Senate didn't do, and what the Senate omitted. Members might think that this is a very, very minor thing that I'm rising about. But it was a very small appropriation, a one-time appropriation of $350,000, that's all, for a mobile medical clinical van that would service the areas of South Kona, Ka'u and Puna, an area larger than the rest of this State combined.

"With very little in the way of health services, I have an agreement with Ka'u Hospital to operate the van. I have an agreement with a private foundation to fund the operation for three years. So all we needed was $350,000, that's all. The area has very few clinics, and it might be 30 or 40 miles to the nearest clinic. And when you consider what's going on in this district now with SO2 and the danger that the volcanic emissions are causing the people I represent, it was a very minor appropriation for the health and safety of thousands of people. And I say to the Senate, shame on you."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker I also rise with reservations. I rise with some particular reservations regarding TANF funds. I believe that those were the unkindest cuts of all, in addition to what the Minority Leader has eloquently spoken in regards to the Charter Schools and how this budget repudiates, rather than builds and nurtures the people, especially those who are the weakest and the more vulnerable among us.

"Mr. Speaker, I'm reminded that Father Mark, when he opened today's session with prayer, said, 'Be the voice for those who are poor. Remember the weak.' I think this budget forgets them. I think this budget skips over them. Temporary Assistance to Needy Families is what TANF is all about, and I think what best summarizes the spirit of that is the saying, 'Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime.' That's where we were going, teaching people how to fish rather than throwing them a fish.

"And I've seen this telltale formula work all over the world to raise people out of poverty. It works, it is one that we've been using until now. We're going to pull back and we're saying to the poor, 'We don't believe that you have the human value and personal worth that we can teach you how to fish. We want you to sit on the side and we don't want to build you up to be self-independent.' Some of the things that we're going to be denying the poor and the weakest and most vulnerable among us is for example, the biggest and unkindest cut is $12 million for youth development and family strengthening programs.

"Mr. Speaker you know when you're poor there is a tendency to pull the social fabric from out underneath one's family, one's academic standards, and one's achievements. These are community based programs that help needy children and their parents by teaching life skills, healthy choices, promoting academic achievement, Mr. Speaker in particular fostering job readiness, that's what teaching somebody how to fish is all about.

"The second biggest cut Mr. Speaker, in these TANF funds is $5.6 million in child care subsidies for working parents. Every one of us in this Chamber knows, without child care we couldn't be here. If we want those who are poor and have less opportunities to get to work, child care is fundamental. This in effect, enough by itself to say, 'We want to shut you down. We want to give you food rather than giving you skills to get independent, so you can have self-esteem and pride in yourself.'

"Lastly this budget TANF cut has $3 million taken out of connecting needy families to new jobs, again a very core program. And there's another $3.2 million that's taken from children at risk from abuse and neglect. And anyone knows, even if they're not on the Health and Human Services Committee, that whenever cuts are made to child welfare services, the rates of abuse and neglect proportionately go up.

"In addition, Mr. Speaker I think we can remember the 800 or so practitioners, as well as clients who rallied here just the other day. There's going to be a lot of unemployment that this is going to create at the same time.

"The irony is that this is the counterintuitive, almost paradoxical way of going about helping people. Mr. Speaker in simple terms, I call it hoarding. Its hoarding rather than investing in our people based upon sound fiscal policy. It's hoarding for a number of reasons. Number one, we have the fourth largest reserve of Temporary Assistance for Needy Families in the country; the fourth largest in the country. We also have the lowest unemployment rate. So why would we have such a huge reserve Mr. Speaker, and then want to have another $22 million thrown on top of it. It's hoarding. It's not a good use of money, sitting idly.

"Right now we have 110 percent of our annual TANF already in reserves. Sixteen states hold zero percent in their TANF funds. Mr. Speaker, we get $100 million a year from the feds. Now that's not chicken feed; $100 million and we're going to stockpile even more of that so we can deny these people those services, so we can deny

those self-affecting personal growth strategies for the sake of hoarding funds.

"Finally Mr. Speaker, this budget is not only based on hoarding, it is also based upon a total lack of confidence in the Lingle Administration. Many times I've stood and said this is IFL-phobia, in this case it takes the L off from Lingle and substitutes Lillian like in Lillian Koller, the Director of the Department of Human Services."

Representative Bertram rose to yield his time, and the Chair "so ordered."

Representative Ward continued, stating:

"Thank you, Representative from Kihei. Mr. Speaker, I was trying to talk about the irrational fear of Lillian Koller. These are the professional welfare people. They know what they're doing. What do we as a body know more than what they know, because if you look at the record, since 2000 the welfare roles have gone from 16,000 people down to 6,000. That is an accomplishment in itself. Also, Mrs. Koller has leveraged literally hundreds of millions of dollars in federal funds. In short, she knows what she's doing. So why does this Legislature think it knows better and is taking the money and taking the rug up from underneath the poor and vulnerable.

"I don't understand it. The fall back, the fail safe, the safety net if you will, gives these doomsday predictions that are based upon this hoarding; that is unemployment is going to go sky high like it did in the 90s. In the 90s Mr. Speaker, we had $150 million in reserves and we still made it through those rough times. We're going to build up to that same scenario, but yet we have still again the lowest unemployment with the highest job creation rate in the nation. There is a safeguard in every TANF contract. If in 40 days the State of Hawaii wishes to cancel those contracts they can literally do it and all the agencies know that. They are in agreement with it. But they are saying, 'Let's carry on with TANF funds. Let's carry on with helping the poor.'

"Mr. Speaker we should not assume our economy will back into the doldrums and tank as it did in the 90s. The part of this budget that I'm speaking about is unethical, it's unfair and unjust. Other than that Mr. Speaker, I like some parts of it."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you very much. Members, I wish to speak in favor of the budget with some relatively minor reservations. First of all, I want to thank the Chairman and the Vice Chairman and the Members for doing an excellent job. This was his second term as a Chairman and he's getting better every time. My aloha and thank you for the good work you've done.

"Members, especially to the Majority, it's kind of ironic in a way, but we're supposed to be the spenders, but it seems that those who want to spend are across the aisle. They seem to have taken the way of the liberal, and we've taken the road of the conservative. We've switched roles. I don't know if I like that, Members. I'm still a liberal and I'm proud of it. I want to spend where it's needed, and when it's needed. I have no compunction about that. And these are some of the reservations we've had, and I'm telling the Members here that I think we need to look to the future and begin to change our mentality because I see we're kind of regressing a little bit.

"When we look at the Council on Revenues, they come up to 3.9 percent and we go to down to 3.5, that's fine. We're looking toward the future. However what is the trade off? Is there a trade off in GIAs? Is there a trade off in some good projects not being funded? Is that a trade off? We need that. Why should we be the bad guys? Why don't we fully fund them and let the Governor cut, if need be? But we cut funding prior to the Governor, we've taken a conservative posture. I might be proven wrong and I hope I am in a way, because as we move along, and if the economy drops, then kudos to all of you. But if it doesn't, there better not be a big surplus. It's kind of an artificial surplus, because we've gone beyond what the Council of Revenues projected.

"Constitutionally, if you don't follow the Council of Revenues, you need to put in the local papers the reason why you went beyond the Council of Revenues. We have not done that. Maybe we should think about it. I know the Chairman is shaking his head, but the Constitution states that if you don't follow the Council on Revenues, then through the local media you explain why you are not following the Council of Revenues' recommendation. And in this case we have not, maybe because it's so slight, from 3.9 to 3.5. Maybe that's the reason we didn't have to. But this is just a caution. Maybe we should look at that. When we go against the Council of Revenues, we should have a good reason why we do it. We should publish it and let the public know why.

"So Mr. Speaker, these are my concerns. I don't want to sound like an ingrate because the Chairman and you, Mr. Speaker, have been very generous, and I want to thank you for what you have done. But again, it's my fear that we cannot continue to take the conservative posture. We must think like Democrats, and act like Democrats. Thank you, very much."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising to speak with some serious reservations about the budget and I'll explain why. And I really would reference Speaker Emeritus on this, who said that we need to take care of those who can't help themselves. I think that we've missed that serious objective in this budget. We've been talking about the issues of homelessness and affordable housing for some time; we've had some rather heated arguments about that with this side proposing funding for the homeless. We know that the solution to the problem requires a continuum of actions; not just a shelter, but a continuum of actions. We also know that the Governor has taken some very bold steps to help in this area, in spite of the Legislature.

"We know that shelters provide services such as job training, life skills, drug rehabilitation, mental health services and other services that are essential to help people move out of being homeless. And that's why the $1.2 million reduction in the supplemental request for HMS 224 is so disturbing. The $1.2 million reduction will stop cold, the Villages at Maile project. The Villages at Maile are the next step in transition for hundreds of individuals, approximately 320 children and adults from homelessness into self-sufficiency. The Villages are an excellent example how we as a state, need to work together.

"The Villages have been a collaborative effort between the State and private enterprise to look at the issue of homelessness and lack and affordable housing, and make a significant impact. The Villages were developed through a public/private partnership that started several years ago. The developer on the project, Carr Development is in the final stages of the development of the 80 units to be used as transitional housing for residents of the Leeward Coast area. And again houses approximately 320 children and adults. Units were developed at cost, with no profit for that developer, with the understanding that the operational funds would be provided for this through the State, and that's the cruel effect of this budget that takes away the operational funds.

"We've fallen short on our promise and this will be detrimental to these hundreds of families. We've already swept the beaches on the Leeward Coast. We all know that; we've talked about that in this Chamber and it made many of the families experiencing

homelessness disappear from public view. Many families moved into emergency shelters and these families want to take the next step toward self-sufficiency. The Villages of Maile will provide a roof over their heads, a place for families to develop their skills and become active members of their community. A resource center, as well as the day care program, were to be developed on the property with the funding that is being stripped away today in the budget. Children who have little stability in their lives were going to have an opportunity to be part of a community. A community where they can learn and thrive and make their way in the world. Now we stripped that money, putting at risk all the hope that these families have had in the last several years.

"Let me just give you an example of how shelters and these kinds of housing projects help. Some of you have read in the *Star-Bulletin* about Laurie 'Sunny' Johansen, she was one of the first to move in along with her boyfriend and 10-year-old son, Dakota. She said, 'It's just going to run smooth I can tell,' in the article. She is a fulltime hair stylist and mother of two. 'She has a 12 by 12 foot room with a shelf, a dresser, towels, toiletries and four rollaway beds, but perhaps most important she has a door and a key. For Johansen, that Waianae Civic Center will help stabilize her children's lives."

Representative Marumoto rose, stating:

"I will yield one minute of my time."

Representative Thielen continued, stating:

"Her son Dakota is attending an intermediate school nearby and she is also now studying to enter college.' I wish her the best. But how many other stories like Sunny's are going to be stopped because we take away the money that would be there to operate and continue developing the programs at the Villages of Maile.

"Speaker Emeritus, I agree with you. These are the people we should help. You and I know that, and today we are not doing it."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just wanted to add a couple things about health from the Health Chair perspective. I think that many very tough calls were made, there is no doubt. And I haven't heard any testimony or Floor speeches today that would disagree with those tough calls, except to say that many positive things certainly happened.

"In the waning hours of negotiations with the Senate, I do know that the $5.7 million that was restored to the budget, or put into the budget for the hospital system which will receive a match a $7.5 million. That total of basically $12.5 million will go to our hospitals, to protect them, to take care of our people who otherwise wouldn't get care. Those monies will be used by all the people of the State and were critical.

"Also in the last moments, $1 million was dedicated to the Primary Care Association and the uninsured. Again that's to our most needy people; those who are often homeless, those who use the community health centers.

"So personally, I wouldn't dwell on a lot of the negatives. I know that it's devastating to so many people because with tight budgets everything is difficult, but there was very clearly from my perspective, a commitment here at the end of the Session to make sure that essentials that do take care of our neediest people were met. Are things perfect? Obviously we could have come up with 20 more proposals from our Health Committee that would have been all very valuable. And did I lament that some of them didn't make it into the budget? Absolutely. Easily, the women's perinatal care, we all supported it, but when those tough decisions were made to take care of the hospital system, it does have a positive effect State wide.

"So I just wanted to, from my position, to offer that perspective in support of the budget. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support of the budget with some reservations. First, I would like to thank the hard working staff of the Finance Committee; young men and women who spend countless hours, some of them locked up in a room with no windows. They come out kind of blinking, 'Oh the sun is shining.' It's almost a joke when you see them. I'd say, 'Hey they let you out today.' And they are always good natured and extremely helpful, and I appreciate that. And I think that has a lot to do with the Chairman and the Vice Chair of the Committee.

"I guess my concern is that we have had very large surpluses for about three years running. The economy is swerving off in another direction now, but I feel that we didn't set our priorities back there and now we find ourselves in a different situation.

"Mr. Speaker, what this bill does not have is an investment in people. Investing in people isn't just about programs that enable people to realize their potential like TANF and programs to move people along the housing continuum. Investing in people is also letting people keep more of their money or giving back when we have a surplus for two years running. Tax relief is investing in people. It allows them to use more of their money to meet the costs of daily living, or to invest in a brighter tomorrow.

"Friday night I received an email from a constituent of mine, a 73-year-old man who lives in Hauula and I just want to read part of it. It says:

> 'My recommendation to you is to keep the spending down but prepare for the worst scenario. The people of Hawaii already pay more taxes than the rest of the country. We also live in the state that has the highest cost of living. People are really struggling out here to make ends meet. How can the Legislature help us?' he asked. 'Simple. Cut down taxes. Help businesses accel in order to provide more jobs for the people of Hawaii, cut wasteful spending and concentrate on the economy.'

That was from Kenneth Ching and, I think, good advice.

"I have to disagree with Speaker Emeritus as far as the Republicans being big spenders. I just looked at the figures of the grants-in-aid that we provided to nonprofits. We went from $1.1 million in 2003, to $39.4 million in 2004, $33.9 million in 2005, $73.4 million in 2006, down to $43.6 million in 2007. And we're a state that, it has been mentioned by many different people, have very loose oversight on the grants-in-aid. This to me looked like sort of irrational spending and that's when we had lots of money. That's where a lot of our general funds went, and that's what added to our debt service. I'm not saying that these grants-in-aid, many of them are very deserving, but because our process is so loose and we use very little criteria, there is in my mind a big question as to whether all these folks were deserving. And with the surplus, by making these generous donations to these grants-in-aid we limited the money we could give back to the hard working people of Hawaii who had paid all of the money that came into the State's coffers.

"The Senate President was recently quoted in a local paper talking about how tax relief is revenue lost in the State, as if the State is somehow superior to the people it was created to serve. Tax relief is the greatest investment of all because it enables our citizens to make choices in their lives. Tax relief is also an investment in our economy. This is the tried and true method that

our Congress is undertaking this summer, a bipartisan tax rebate package to stimulate the economy. Compare that with the tax relief this Legislature is offering: one dollar. Not a dollar that you can put in your pocket. You must wait until April of 2009 when you fill out your tax return and you will get a tax credit against what you owe of one dollar. This speaks volumes of the investment that this Legislature wants to make in its citizens."

The Chair then stated:

"Excuse me, Representative Meyer, you time has expired. Representative Marumoto, would you like to yield your four minutes? You need two minutes?"

Representative Marumoto rose, stating:

"I would be happy to yield two minutes."

Representative Meyer continued, stating:

"Thank you, Representative. I also notice that prominent Members of this Chamber and the Senate have criticized the Governor for not spending more through CIP as a means of investing in our economy. We've talked about our debt service and the methods the Administration has used to keep that amount down. When we discussed the HD 1 version of the budget, and simply note that we will soon top $600 million in annual debt service payments, more than 10 percent of the State budget. As you are well aware, the money from CIP takes a long time to make it into the pockets of the people, sometimes two or three years. According to your Conference Committee Report the economy is slowing down. We are experiencing difficulties now. This solution should be one that takes effect now.

"We should put money in people's pockets now, like the federal tax rebate. While many of the bills that we're going to pass today are not in the budget, but they will affect the budget, and those are bills that have created new fees which are like taxes and that I believe is going the wrong way. Thank you, Mr. Speaker."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. I just wanted to respond to some of the issues raised about the Villages of Maile funding and just to point out that there are a lot of reasons why that project has come into question. The Native Hawaiian homesteaders, or the SHA organization had raised a lot of concerns about that project because it's located on Hawaiian homestead land and they rightfully did point out that with the thousands of Hawaiians on the waiting list, it did seem to be something they wanted to be consulted about at least, as the beneficiaries of the Hawaiian Homestead Trust. Of course they all sympathize with the homeless and everybody wants to help the homeless; that's not the issue. I think the concern was just that it doesn't mean bypassing all the thousands of people that have been on that waiting list for years and years and years.

"And the other thing is that the people, the neighbors in that surrounding community have raised a lot of concerns. They're concerned about the quality of that land, whether it's environmentally safe. They've had issues with traffic and those kinds of things that they really felt like the project had moved through so quickly that they didn't have time to have their voices heard so they also had concerns. So there are just a lot of things that need to happen.

"I'm happy to report that I did have a very brief meeting with HPHA on this topic and they are hopeful that they may be able to still accomplish the Villages of Maile using their own funds. They also want to make sure they consult with the community, with the beneficiaries of DHHL, to make sure that those concerns are all addressed. So I'm really hopeful that all is not lost and that this project might still have a way of going through to the satisfaction of all the different parties that are concerned about it.

"And I just also want to really express the heartfelt thanks to this Legislature because while maybe there were some questions about that project, there's a lot of other great projects that were funded as was mentioned earlier, Kahikolu, which is going to be a transitional low cost rental project; the building in Kalaeloa, which will also help the homeless; the Wilder Street project in Honolulu; and $1.8 million that's going to go to HPHA to fund all the other homeless providers out there so they will have a chance to try to put in bids for that money. So there's a lot that has been done, and I think again I just wanted to emphasize that the Villages of Maile still may go through. Thank you."

The Chair then stated:

"Members of the House, we've had 50 minutes of debate on this particular measure. The Chair will allow one of the Majority and one of the Minority to sum it up."

At 11:50 o'clock a.m., Representative Thielen requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:52 o'clock a.m.

The Chair then stated:

"Let my clarify my position. Representative Marumoto has already volunteered three out of her five minutes on the debate. And the last person who wanted to speak from the Minority was Representative Pine who has her five minutes. So at this point, the Chair will allow the Minority to have seven minutes of debate. And I will allow the members of the Majority to have ten minutes of debate. So we will have two members from the Minority, and two members from the Majority. Representative Pine, please proceed."

Representative Pine rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with strong reservations. I first want to clear up what a conservative is. It's not about spending everything as the Speaker Emeritus kind of implied. It's about spending wisely. Republicans believe that we should spend money on teaching people how to fish; teaching them so that they don't live off of government for the rest of their lives. So we believe it is wise to spend our TANF money that prevents poverty that teaches people to have higher paying jobs. So we believe in spending in those areas.

"The thing that really gets to a conservative is spending on 'pork', things that are not the priorities of the various departments. For example, the first speaker talked about this budget putting education first. Well let's look at how we put education first. In the reading of this budget on First Crossover, I brought a lot of concerns about priorities of the Department of Education that were ignored. Back then in the budget, instead of funding many worthwhile Department of Education projects, we put $1.7 million for a synthetic turf field for Leilehua High School stadium. It didn't seem to go anywhere with my comments because in fact, we double that. In the final budget we gave $3.3 million for Leilehua's turf field. We also find that Miliani's turf field is in there as well, almost $1 million. And also we're funding almost $1 million for Moanalua High School's artificial surface. I can't tell you how many high schools and intermediates schools statewide would love that field. But I'll tell you that for the Department of Education, those are nowhere in its priorities.

"So what were the priorities of the Department of Education who we have appointed and who have been hired to be the gurus to tell us what the priorities are in the Department of Education. What we feel is putting education first. The Department of Education, number 19 on their priority list, $4 million to renovate McKinley High School's Building 857. We cut that out of the budget. This budget also eliminates funding for Kapa'a Elementary School's library, which is 24 on DOE's priority list at $6.8 million.

"This budget also eliminates funding for Konawaena Middle's locker/shower building which is number 28 on the DOE's priority list at almost $10 million. It eliminates design funds for my sister's neighbor's district for Kapolei Elementary, an area which is the fastest growing area in our State. This is number 26 on the DOE's priority list. But apparently turf fields and a nice track come before crowded schools.

"For me personally, Mr. Speaker, and this has been a trend that I've seen since I've been elected; we've done very little to help victims of crime. The *Honolulu Advertiser* published a newspaper article just this weekend talking about how some of the four most high priority victim legislation did not go through. One shining light that made it through this Legislature..."

The Chair addressed Representative Pine, stating:

"Representative Pine you are out of order at this point. Can you confine your remarks to the budget, and not the other measure that is not before us."

Representative Pine continued, stating:

"Okay, I'm sorry Mr. Speaker. Lacking in this budget is money for the one shining star that was mentioned as passing this Legislature and that was to protect victims by imposing electronic monitoring systems on perpetrators of domestic violence. We passed that bill, but if a victim is so unlucky as to have that violent perpetrator say that he can't afford an electronic monitoring system, then he most likely will not have to wear one because we took the funds out of the budget for that.

"So Mr. Speaker, I'm very disturbed that we're passing legislation that would give more rights to prisoners, will help us to help their families to survive them being in prison, give more money to bring prisoners back home, and leave very little to support victim's children. So that's why I rise with the highest of reservations, Mr. Speaker."

Representative Awana rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in support of this measure, however I would just like to mention my concerns regarding the section that covers, or shall we say, lack of coverage, for the Temporary Assistance for Needy families, which will ultimately affect many in my district, and ultimately many throughout the State of Hawaii.

"Today we are all experiencing the many challenges and lack of finances to meet our basic needs and it is evident that with the high cost of oil, food and closure of Aloha Airlines, ATA, Molokai Ranch and now Aloha Airlines Cargo, that we are in for more hard times ahead. Ladies and gentlemen, we are in a state of crisis and many families who depend upon TANF funds for their survival will now have to find alternative means to meet their basic needs. The decisions that were made to not fully service those families who are in need is a very bad sign. And I would like to state that I would like to have seen this budget item unaffected, but this is now not the case, and there were items that were financed by the Department of Human Services under TANF which are questionable.

"It is my hope that the people of my district and those directly affected by these cuts are not being made pawns to make a point that funds need to be closely scrutinized, or at the same time utilizing those affected by these cuts as a pawn to create services that are wants instead of needs.

"Mr. Speaker after taking a look at the overall budget, there is more good than not and therefore, I will stand in support. And as a Member of the Finance Committee I applaud the Chair, Vice Chair, my fellow Members and Finance staff in working extremely diligently on this and other matters in the budget.

"And as a friendly rebuttal on the matter concerning the Voice of America's site, also known as the Villages at Maile, I would like to inform Members that the land transfer has yet to be completed. This parcel still resides in federal government inventory. As the Representative of this district, there are also concerns regarding the transfer from the federal government to the Department of Land and Natural Resources over to the Department of Hawaiian Homelands as the Representative from Makaha had stated. And Hawaiian homelands applicants are also concerned about sacrificing their chance at a home. Many live with others in their homes in hopes of one day becoming a homeowner themselves.

"And also I'd like to state Mr. Speaker, as the Representative from Mahaka has stated, there are concerns with regards to the infrastructure and the Homeowners Association and the hopefully future site, that they have concerns about the lack of communication between the Department and the homeowners, as well as the residents and the school who will be greatly impacted by an influx of a larger student body of which they have grave concerns as to how they'll be able to provide services to those included in this new program. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. We've heard Representative Finnegan talk about Charter School students, and Representative Ward talk about social service clients, TANF people. Representative Thielen discussed the homeless people. Representative Meyer was concerned about taxpayers, and Representative Pine talked about the victims of violence. I would like to talk about our jobless population, or people who are a little bit worried about their jobs.

"I agree with Mr. Speaker Emeritus that we should spend money where it is needed. As we've read on this budget, I want to express my strong reservations regarding the section on tourism. I'm concerned because the effect on our citizens and their livelihoods are at risk. We depend on tourism for bread and butter, or rice and plate lunch. Some of us are affected directly, and all of us are affected indirectly. It is the most important part of the economy providing one out of every five jobs. And although we nurture new industries, high tech and diversified agriculture, when tourism dollars falter, State revenue is diminished. Our teachers and students feel the pinch of DOE expenditures. Our shopkeepers see fewer sales, and restaurant servers see fewer customers. Yes, the hotel tax brought in more dollars last year. Yes, we applied more TAT taxes to the tourism special fund. Yes, the budget grants the House Tourism Authority a little more money this biennium, $140 million up from $138 million. I must tell the people of Hawaii I don't think this is enough. With the recent downturns in tourism, we've seen since the opening of the 2008 Session ..."

The Chair addressed Representative Marumoto, stating:

"Representative Marumoto will you just summarize your statement or insert it in the Journal at this point in time. Your two minutes have been exhausted."

Representative Marumoto: "There is going to be a lot of suffering and ..."

Speaker Say: "Representative Marumoto, will you submit your comments in the Journal at this time since you have already used up your five minutes."

Representative Marumoto: "I was just going to finish my sentence. May I just say that as far as we're concerned, jobs are job one. Thank you."

Representative Marumoto's written remarks are as follows:

"The tour bus driver might ask, "Why doesn't the Legislature *discuss* applying more hotel tax money to the Tourism Authority?" The hotel busboy could ask, "Did the legislators *consider* increasing the percentage of TAT revenues that goes to the HTA?" The lei seller might wonder, "Did the legislators even *think about* asking the Tourism Authority to juggle its budget to apply more dollars to marketing?" The advertising executive *might ask*, "Shouldn't all the counties kick in part of the TAT money to bolster the marketing effort? Maui County does its share. Shouldn't Honolulu do the same?"

"As airlines plummeted from the sky, cruise ships sailed away, as the SuperFerry started, sputtered and started again, as businesses faced bankruptcy, as Golden Week looked anemic, as hotel occupancy rates lost speed, and as visitor counts dropped, there was very little, maybe no discussion, to increase marketing dollars to protect our Number One industry. Jobs disappeared every week.

"We did discuss clotheslines, and monk seal mammals, and campaign yard signs. But for the sake of the hard working people of Hawaii, we did not rethink our budget priorities. However, I am not totally pessimistic. The national economy is anemic, but Hawaii's is still growing though not as fast as before. We still have time to devise new strategies to improve our tourism position in this global economy. Let us not ignore our Number One problem to our Number One Industry.

"Jobs are our job #1."

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure I stand in support. I just want to clarify, especially for District 47, some of the comments made on grants-in-aid. You have to take a look at the grants-in-aid, and look at all the possibilities that we can to provide. This year it was zero, across the board. There were so many deserving people that we should have given the money to, but didn't.

"So first of all, you have to understand that we as legislators here, we appropriate. And the Governor restricts or releases the funding. A good example is two weeks ago, I was at the DelMonte Camp, in the Kunia gym. I was with one of the workers who were laid off from DelMonte two years ago. Last year, I introduced a bill to provide assistance for rental and housing. It was $600,000 for this fiscal year, and $600,000 next fiscal year: $1.2 million. At the meeting we had, the Governor only released $200,000. These people out there, they need the money now, just like the others we're talking about with Aloha Airlines and everybody else.

"If the Governor does not release the funds for the people who need the help, how can they stay on their feet? We speak about people that need the help. The question is for us is that we have no control. It's the timing that we have, but the Governor has to release the funds. She has the overall purview of what we do as legislators.

"Mr. Speaker, the needs are there. We all know that, especially right now with the construction market going down. We have so much R&M money choked in the DOE, UH and DAGS. The question is, what are they doing? What is the Administration doing to release the funds? Yes the petrol has gone up. Materials have gone up. We have a lot of people on the bench. About 1,000 people on the bench. Now is the time to build. Everything is timing because even with the CIPs we have right now, even though it's released, the effect takes time.

"I'll give you an example. I have Sunset Beach Elementary School. They're building their Administration Building after 30 years. We gave $2 million, and they're short by $2 million. So basically that bill is a shell, and hopefully the community can come in to build. All I'm saying right now is that everybody has a good cause. The question is, as we appropriate to all the areas you have in your districts, that is fine and dandy. We have to. And we have to follow up on what we do. Again as I said, we don't have the power like the Governor. We can veto, recall, whatever she does. But she has her power to release. If she's really sensitive to the community, she has to reach out. Members, thank you."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. Do I have five minutes? Or do I have to speak very quickly? I'm in support of the measure, Mr. Speaker. I usually don't rise to speak on the budget bill because after all, it is a done deal so why even talk about it at this point. But I need to respond to a couple of comments made by some colleagues.

"Regarding the Department of Education's budget and how dollars seem to have shifted based upon different priorities of the Department relative to the priorities of the Legislature, let me just say this Mr. Speaker. When the Board of Education submitted their supplemental budget this year of $80 million, the Administration zeroed it out. They also requested $40 million for cesspool removal at schools and without that appropriation, they were facing daily fines from the federal government. That was zeroed out as well. And not to mention reductions in such mundane items as electricity, transportation and food service. Thankfully this House has restored much of that, including the cesspool removal. So again, when we talk about how dollars are shifted, let's keep in mind that that knife cuts both ways.

"I need to respond to the Minority Leader about the comments of the Weighted Student Formula, and I do know that sometimes we do not understand how that formula works. The item she's talking about on page 66 of the budget, section 70.1, that $1.6 million given for transiency. The Committee on Weights decided that they will double the amount given to students that additionally move around, primarily military dependents, but we have many students, primarily in poor communities that move around. The budget really gives $1.6 million to take care of that. The Legislature did not decide to increase that. The Committee on Weights decided that. The $20 million would have been in addition to the base budget and that would become part of the base budget, but does not in any way, shape or form, impact the formula. What it does is merely add to that existing lump, and make it bigger, and therefore allow additional dollars to go to the schools that they can use in whatever way they want to be used in a flexible manner. To me, that is not micromanaging.

"Here's what is micromanaging, Mr. Speaker: proposing STEM academies, proposing creativity academies to the schools; that is micromanaging the Department of Education. Thank you."

Representative Ward rose, stating:

"Mr. Speaker, a point of information. You have purposely said that there were five minutes per speaker, and there were two. Therefore ten minutes for the Majority and seven minutes for the Minority. I believe with the last speaker, gave 15. So we have a

deficit of 8. I believe that we have not been allowed as the Minority ..."

The Chair responded, stating:

"Representative Ward you are out of order at this point so please sit down. You are out of order. The Chair has the discretion and you are out of order."

Representative Ward: "I'm out of order, but this is the business of the people and this is the last day of the Legislature."

Speaker Say: "You're out of order at this point. At this time we've had a lot of debate. The Chair will call for the question and allow just written comments."

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of C.C.R. 135, H.B. 2500, S.D. 1, H.D. 1, C.D. 1 which appropriates supplemental funds for the operating and capital improvement costs of the Executive Branch for fiscal year July 1, 2008, through June 30, 2009.

"A lot was made in the past couple of weeks about the issue of funding Charter Schools. In the local papers and in the Conference Committee Report, great pains are made to describe a chronology of events, who said what, what was and wasn't given, etc.

"Charter Schools represent an innovative means of educating horizons otherwise unavailable in mainstream settings. Charter Schools work, and deserve to be fairly funded. And although Conference Draft 1 of the budget increases EDN 600 by over $6 million, increases in prospective enrollment will actually result in a lower per pupil allocation moving forward.

"The bottom line is this. We can talk around the controversy surrounding the funding formula in Chapter 302B-12, but if we are really serious about moving forward on this innovative and successful education option, if we want to avoid the situation of the past couple of weeks, fix Chapter 302B-12. It will save us some budget headaches down the road.

"Thank you, Mr. Speaker."

Representative Karamatsu rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support.

"House Bill 2500 appropriates supplemental funds for the operating and capital costs of the Executive Branch for the fiscal year July 1, 2008, through June 20, 2009. After strong economic growth in the early-2000s, peaking with double-digit growth rates in fiscal year 2005 (16 percent) and 2006 (10.9 percent), Hawai'i's economy slowed sharply in 2006 and 2007.

"With considerably lower than projected general fund revenues available, this bill preserves essential health and safety funding in this supplemental budget. Unfortunately, reductions were made to the Governor's supplemental budget through a combination of denying requests, making vacancy adjustments, and reducing the departments' general fund non-fixed cost "discretionary" budget appropriations.

"I would like to highlight some of the appropriations and investments that were included. Investing in the aging infrastructure of our public schools was the primary focus. For fiscal year 2008-2009, $310,193,000 was provided by the Legislature to the Department of Education in general obligation and general obligation reimbursable bond funds, including: $100,000 for whole school classroom renovations statewide; and $66,461,000 for school building repair and maintenance statewide. The following are some of the capital improvement projects I supported for schools in or near my state representative district and non-profit educational institutions in the State of Hawai'i:

1. Honowai Elementary School: The Legislature appropriated $2,000,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design, construction, and equipment for electrical system improvements; ground and site improvements; and equipment and appurtenances.

2. Kaleiopu'u Elementary School: The Legislature appropriated $85,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design and construction for a covered walkway to the cafeteria and office area; ground and site improvements; and equipment and appurtenances. In addition, the Legislature appropriated $550,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design, construction, and equipment for electrical upgrades; ground and site improvements; and equipment and appurtenances.

3. Waikele Elementary School: The Legislature appropriated $100,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design and construction to expand the faculty parking lot; ground and site improvements; and equipment and appurtenances.

4. Waipahu High School: The Legislature appropriated $75,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design and construction for fencing; ground and site improvements; equipment and appurtenances.

5. Children's Discovery Center: The Legislature appropriated $125,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 and $300,000 for fiscal year 2008-2009 for construction for facility improvements at the Children's Discovery Center. This project qualified as a grant, pursuant to Chapter 42F of the Hawaii Revised Statutes.

6. KCAA Preschools of Hawaii: The Legislature appropriated $250,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for plans, design, and construction for the development of a new training center. This project qualified as a grant, pursuant to Chapter 42F of the Hawaii Revised Statutes.

"The Legislature has taken note of the alarming state of some facilities within the University of Hawai'i system and provided $161,446,000 for fiscal year 2008-2009 by all means of financing for capital improvements in the University system. The following are some of the capital improvement projects I supported for the University of Hawai'i system:

1. University of Hawai'i system: The Legislature appropriated $60,000,000 for fiscal year 2008-2009 for system wide capital renewal, deferred maintenance, and health and safety measures.

2. University of Hawai'i at Manoa: The Legislature appropriated $8,500,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 and $35,883,000 for fiscal year 2008-2009 for plans, design, construction, and equipment for renovation and addition to the campus center complex.

3. University of Hawai'i - West Oahu: The Legislature appropriated $135,000,000 in fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design, construction, and equipment for the development of the University of Hawai'i – West Oahu. The project is to include ground and site improvements, construction of infrastructure and new facilities, and all project related costs.

"An efficient system of harbors and airports is vital to the flow of people and goods to, from, and within Hawaii. The Legislature provided an investment of $124,375,000 in revenue bond funds for harbor modernization projects and an additional $130,236,000 for airport modernization. In order to maintain and improve our highway system, the Legislature appropriated $183,066,000 by all means of financing for fiscal year 2008-2009. The following are some of the transportation capital improvement projects I supported:

1. Kamehameha Highway Improvements, Waipahu Street to Ka Uka Boulevard: The Legislature appropriated $150,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 and $5,000,000 for fiscal year 2008-2009 for land acquisition and construction for traffic operational and other improvements including sidewalk, bikeway, highway lighting, drainage, and other improvements. This project is deemed necessary to qualify for federal aid financing and/or reimbursement.

2. Interstate Route H-1, Westbound Afternoon (P.M.) Contraflow: The Legislature appropriated $5,000,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design for a p.m. contraflow lane on interstate route H-1 from the vicinity of Radford Drive to the vicinity of Waikele.

3. Ke'ehi Small Boat Harbor: The Legislature appropriated $4,000,000 for fiscal year 2008-2009 for plans, design, and construction of a bulkhead, pier, pad, and storm water management system and utilities installation at Ke'ehi Small Boat Harbor to relocate Honolulu Marine, LLC from Hawai'i Community Development Authority property.

"The following are other capital improvement projects I supported that are located in or near my state representative district:

1. Kunia Agricultural Park: The Legislature appropriated $250,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for plans to develop Kunia Agricultural Park.

2. Waipahu United Church of Christ: The Legislature appropriated $250,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design and construction for improvements for a community center. This project qualified as a grant, pursuant to Chapter 42F of the Hawai'i Revised Statutes.

3. American Box Car Racing International: The Legislature appropriated $75,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for plans, design, and construction for a youth facility. This project qualified as a grant, pursuant to Chapter 42F of the Hawaii Revised Statutes.

4. Friends of Waipahu Cultural Garden Park: The Legislature appropriated $250,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for construction for improvements at Hawai'i's Plantation Village. This project qualified as a grant, pursuant to Chapter 42F of the Hawai'i Revised Statutes.

"The following are other capital improvement projects I supported that are located in the State of Hawai'i:

1. Iolani Palace State Monument: The Legislature appropriated $4,500,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for construction for air conditioning, climate control, and related improvements to preserve historic and cultural artifacts.

2. Lanakila Rehabilitation Center: The Legislature appropriated $300,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for design and construction for renovation of the Lanakila Wahiawa center. This project qualified as a grant, pursuant to Chapter 42F of the Hawai'i Revised Statutes.

3. Bishop Museum: The Legislature appropriated $1,000,000 for fiscal year 2008-2009 for plans, design, and construction for repairs and maintenance and other related improvements at the Bishop Museum.

4. Hawai'i Theatre Center: The Legislature appropriated $250,000 for fiscal year 2007-2008 and reauthorized it for fiscal year 2008-2009 for construction for improvements to facilities owned by the Hawai'i Theatre Center. This project qualified as a grant, pursuant to Chapter 42F of the Hawai'i Revised Statutes.

5. Japanese Cultural Center: The Legislature appropriated $250,000 for construction for repairs and improvements to the Japanese Cultural Center. This project qualified as a grant, pursuant to Chapter 42F of the Hawai'i Revised Statutes.

"For the 2008 Legislative Session, I introduced House Bill 2323, which would establish within the beach restoration special fund a sub-account to be known as the resort beach restoration fund to be administered by the Department of Land and Natural Resources, into which shall be deposited general funds appropriated by the Legislature and revenues from the Tourism Special Fund, which receives moneys from the transient accommodations tax. No funds would be released for expenditure from the resort beach restoration fund unless matched by non-state funds on at least a one-to-one basis. Moneys in the resort beach restoration fund would be used to provide for the development and restoration of visitor area resort beaches, including maintenance of any improvements placed on the visitor area resort beach or in the near-shore waters, as determined by the department, including debt service on any capital expenditures projects and the contracting for services for those purposes. Fortunately, the legislative money committees created a proviso in this state budget bill, appropriating $1,000,000 from the special fund for tourism (BED 113) for fiscal year 2008-2009 for beach restoration, provided that restoration projects on resort beaches shall be matched dollar-for-dollar from private sources and shall be on beaches with public access. This beach restoration fund for resort beaches is to be administered by the Department of Land and Natural Resources.

"The Legislature recognized that energy efficiency is an investment that pays off for itself, and provided $17,460,000 for energy conservation and efficiency projects throughout the State for fiscal year 2008-2009.

"The lack of affordable housing is a major concern of the legislature. Appropriations to address this issue include a total infusion of $25,000,000 in general obligation bond funds into the Rental Housing Trust Fund and the Dwelling Unit Revolving Fund in order to finance additional affordable housing.

"Given substantially lower than projected general fund growth for fiscal year 2007-2008, the Legislature has crafted an honest, responsible, and sustainable supplemental budget. In total, this supplemental budget appropriates $10,789,367,663 in fiscal year

2008-2009. Specifically regarding general fund appropriations, this budget appropriates $5,318,212,5547 in fiscal year 2008-2009.

"Thank you."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I speak in support of the budget. HB2500 HD1, SD1, CD1 is a conservative budget which appropriates $44.7 million less in operating general funds than the Governor's budget.

"Because of our tight fiscal situation, no new operating GIAs were included. However, 112 GIA applicants with grants totaling approximately $9 million in operating funds and $24 million in CIP funds that were appropriated last year still wait for their money to be released by the Governor. These include:

- The Honolulu Symphony
- Habitat for Humanity
- Catholic Charities
- Easter Seals
- Salvation Army

"In addition, the Governor has failed to release about $43 million appropriations and valuable initiatives passed by the Legislature last year, including $200,000 (Act 147) to provide perinatal care to mothers who have substance use problems and $8,000,000 (Act 284) to increase MEDICAID reimbursements to doctors providing health care to the underinsured and uninsured.

"The budget prioritizes public safety by providing $240,000 for Department of Justice compliance issues regarding mental health services at our prisons and $271,000 for the Hawaii Youth Correctional Facility to maintain compliance with their Department of Justice Memorandum of Agreement.

"The budget also prioritizes health and human services by providing, among other items:

- $10 million for adult mental health
- $4.3 million for emergency medical services
- $5.7 million to draw down $7 million in federal funds for hospitals that care for the uninsured
- $26 million for the completion of the Kukui Gardens purchase

"Education is another priority funding in HB2500, CD1. There is 155% more money than the Governor provided for the repair and maintenance of our public schools and 42% more than the Governor provided for the repair and maintenance of University of Hawaii facilities. The budget also provides a total of $57.7 million for Charter Schools, $1.6 million more than proposed by the Governor.

"For all these reasons, I support this fair and reasonable budget, which is fiscally sound and responsible."

Representative Ward rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Ward's written remarks are as follows:

"Mr. Speaker, I rise with strong reservations in support of HB2500.

"Mr. Speaker, there is a saying: "Give a man a fish and you feed him for a day. Teach a man to fish and you feed him for a lifetime." This is the self-help motto that has been used to guide people out of poverty all over the world, except as of late in Hawaii. This budget, with its cuts to TANF funds, indicates that some legislators want to hand out fish rather than empowering people to take control of their own lives and become self-supporting.

"Mr. Speaker, our Legislature's Budget Conference Committee, led by Rep. Marcus Oshiro, Chair of the Finance Committee and Sen. Rosalyn Baker, Chair of Senate Ways and Means in finalizing the budget have cut $22 million out of proven job-producing, poverty-reducing programs.

"Instead of being used in the community to help needy families and to prevent at-risk behavior in our youth, House Chair Oshiro and Senate Chair Baker chose to put this $22 million in a reserve account where it will sit idle. Hawaii already has the 4th largest reserve fund in the nation, and this legislative maneuver will only make poverty-stricken families more numerous. Reserve funds will not gain interest and once transferred, these funds can only be used for direct cash assistance and then, only for families working a certain number of hours a week.

"Mr. Speaker, every October 1, the federal government provides Hawaii a block grant of nearly $100 million under a program called Temporary Assistance for the Needy (TANF). These funds can be used as cash assistance to needy working families, fund programs that help people prepare and obtain employment as well as prevention programs that protect at-risk children and strengthen families. But, there is one caveat – once funds are designated for cash assistance, they cannot be moved to other programs. As a result, DHS allocates approximately $45 million of these Federal funds for cash assistance and uses the majority of funds to help families break the cycle of poverty through job training programs and prevention initiatives that work with children at-risk.

"Mr. Speaker, historically, the number of families receiving the work assistance payments has steadily declined since 2000, even in the worst of economic times in the aftermath of 9/11. For example, in 1999, there were over 16,000 households receiving cash assistance; last year the caseload was approximately 6,000. These figures prove that the work training and youth at-risk programs work – fewer people need cash assistance to supplement their wages.

"Mr. Speaker, there were strong protests from DHS, the Minority members in the Legislature and the program participants themselves, yet the Majority on the House Finance and the Senate Ways and Means Committees cut nearly one-quarter of the TANF funds from the work training and prevention programs. As a result, thousands of people will be deprived of job skills training, employment opportunities, English as a second language courses, as well as dozens of other programs that have proven their ability to help Hawaii's neediest find and retain jobs. Even more troubling, thousands of children that were enrolled in various after school programs and at-risk youth programs will lose the encouragement and support these programs offer.

"Mr. Speaker, these programs have proven to provide the vital assistance needed to address social issues before they become tomorrow's tragedies and crises. These programs help homeless families transition to a new life. They work with single parents to find employment. They prevent teenage pregnancy, drug and substance abuse and teach life skills to students. These programs also help victims of domestic abuse and work to break the pattern of child abuse and neglect.

"Mr. Speaker, the padding of this reserve fund is totally senseless, inappropriate and borders on the iniquitous. These cuts are ill-timed, ill-conceived and demonstrate ignorance of TANF

funding, as well as a gross lack of compassion for the thousands of families struggling to break the cycle of poverty.

"Mr. Speaker, there is one thing that needs to be said to Chairs Oshiro and Baker, on behalf of the thousands of Hawaii's most vulnerable, "SHAME!," and to all the legislators who backed these unkind cuts to the poorest and most vulnerable among us.

"Thank you, Mr. Speaker, for letting me speak with strong reservations on this year's budget."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, in the closing days of this Session there has been a great deal of controversy surrounding two issues in the budget, Charter Schools, and Temporary Assistance to Needy Families (TANF). In order to set the record straight, and ensure that there is an accurate accounting of these issues for future budget deliberators to reference, I respectfully request the insertion of certain memoranda and other correspondence.

"**Charter Schools:**

"Mr. Speaker, this budget cuts $1.6 million from the employers' contribution to the EUTF and uses that money to provide a one-time appropriation for the Charter Schools. You may recall that the Governor has transferred over $45 million from this pot of money over the past two years. Additionally, via a Governor's Message dated February 25, 2008, she asked that we reduce appropriations for health premium payments, indicating that there were some savings available. At the same time, we do not want to unnecessarily jeopardize EUTF appropriations. Therefore, we have included a budget proviso that allows for the transfer of appropriations freely between debt service, ERS payments, and EUTF payments.

"I realize that this additional $1.6 million that the Charter Schools are receiving may not be all that they want, but it is more than what many other State agencies are receiving. In fact, nearly all general funded State agencies are receiving a cut in their overall funding levels, while Charter Schools are receiving more.

"Mr. Speaker, this approach creates a precedent, one that I have had a very difficult time dealing with. So, I want to take this time to let future budget deliberators know how we got here, and to give notice that it is not my intention to let this practice happen again.

"Let's look at how we got into this situation, and start with the Governor. The Administration performed the initial calculation that slashed the request from Charter Schools back in mid-December. If the Charter Schools are not aware of that, they should be. Despite the rhetoric Charter Schools may have heard from the Governor, she did not support their initial request, **and** has not lifted a finger to come to their aid. The Administration is the one that created this problem, and they have done nothing to address it.

"Chair Baker and I asked for a Governor's Message to request an increase in Charter School funding. This would have given the Governor an opportunity to show her true support for increased funding, but that Governor's Message never came. Now that this has become a serious issue, we are disappointed that the Governor has still not come forward to help resolve the problem created by the Administration. Given our current financial difficulties, it has put the Legislature in a very difficult position. I hope the Charter Schools will understand that the Legislature is taking extraordinary measures to help them because we believe it is in the best interest of the community.

"I understand that the Executive Director for the Charter Schools just came on board on December 11, 2007. She is, therefore, new and perhaps unfamiliar with the budgetary process. On the other hand, her staff, the CFO, and others at the Charter Schools Administrative Office, have been there for a while. They should have known, once the Governor's budget was made public in mid-December, that this cut was forthcoming. The CSAO should review its operations so that concerns are not raised at the 11th hour.

"Also, it is my understanding that the Charter School Review Panel approved a new school just last week. This new school will bring in an additional 250 students to the Charter School System. Knowing that the funding for Charter Schools was a serious issue, why was approval given to bring even more students into the system? This is not sound management. I am extremely disappointed that the Review Panel either didn't consider the budget crunch or didn't even care. The Charter Schools Review Panel may have made the problem worse. All I ask is that they be a part of the solution and not a part of the problem.

"For the Charter Schools, parents, faculty, and students: thank you for participating in the legislative process. It is the right and responsibility of all citizens to seek redress by their government through petition, and if necessary, protest; and you have done your civic duty in a civil and dignified manner. The Legislature has its critics, but sometimes it works. But my challenge to you is this: take personal responsibility. This information was out there since mid-December. If you want to ensure that this situation does not arise again, please take the initiative to talk with us so that we can work out problems together.

"I need to make this very clear. This is a one-time, stop-gap measure. In the interim, I hope that we can get everyone to work together to figure some sort of solution that will help all of our public school students, whether they are in a DOE school or a Charter School. Let's work on an objective formula that will allow us to compare apples to apples. And whatever happens, this bickering and in-fighting has to stop. After all, we are one community, sharing the same goals of excellence in our schools, teachers, and most importantly, our students."

Representative M. Oshiro submitted the following documents relating to Charter Schools:

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MO|NK|MW|KU|Amalert

Linda Lingle
Governor

Reshela DuPuis, Ph.D.
Executive Director

2008 APR -3 P 1:21

Charter School Administrative Office
1111 Bishop Street, Suite 516
Honolulu, Hawaii 96813
Tel: 586-3775 Fax: 586-3776

March 31, 2008

To: House Committee on Finance
Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice-Chair

From: Charter School Administrative Office
Reshela DuPuis, Ph.D., Executive Director

Subject: Charter School Budget Request Adjustment for New Schools

Aloha kākou,

Mahalo nui for your continuing commitment to public education and issues that impact Hawai'i's charter school system. Below we present information on the 2008-09 Charter School Administrative Office's (CSAO) budget for charter schools. In specific, we are requesting that **$2,631,412** intended by the Department of Education (DOE) to be transferred to CSAO for our newest conversion charter school, Kamaile Elementary, but which were inappropriately retained by the Department of Budget and Finance (B&F) in the EDN 150 budget, be transferred from EDN 150 to EDN 600. Attached, please find a letter from the Governor's Policy Office supporting this request.

Information about the intended transfer of these funds from the DOE's budget to the CSAO budget for Kamaile Elementary Conversion Charter is based on CSAO's charter school budget request submission to B&F as approved by the Charter School Review Panel (CSRP) and the Board of Education (BOE); and the Administration-approved charter school budget request as prepared by B&F and submitted to the Hawai'i State Legislature.

DOE 2008-09 Budget Transfer for Kamaile
CSAO's original 2008-09 supplemental budget request to the Department of Budget and Finance included a funding adjustment for three new start-up schools and Kamaile Elementary Conversion Charter School. This new school funding amount was based on

estimated increased enrollment that combined the enrollment projections for the three charter applicants with the highest projected enrollment and the 2008-09 projected enrollment figure for Kamaile Elementary provided to CSAO by the DOE of 641 students. This total of 1,341 additional students was multiplied by the same per-pupil amount we requested for existing charter schools, $8,738.51, yielding an overall increased funding request for new schools of $11,718,342. That overall amount then was reduced by the amount we expected to receive as a transfer to EDN 600 from the DOE due to the conversion of Kamaile Elementary, $2,631,412, resulting in a total funding adjustment request for new schools of $9,086,930. This new school funding request was presented to and approved by the Charter School Review Panel and Board of Education on September 13, 2007 and October 4, 2007 respectively.

However, as calculated by the B&F, the Administration's approved budget request as submitted to the Legislature included only $4,464,705 in funding for new schools. CSAO was informed only in late January 2008 that this approved figure included the DOE transfer amount. Since our original request had already been reduced by the expected DOE transfer for Kamaile, B&F's adjusted figure, in effect, reduced the total amount actually requested for new schools by double the anticipated DOE transfer, or by $5,262,824. This represents over nine percent (9.37%) of our total Administration-approved budget of $56,150,695 and will reduce system-wide per-pupil funding from the actual per pupil amount in 2007-08 of $8,149.33 to $7,599.66, based on the funding changes described above.

After the submission of CSAO's original budget request to B&F but prior to the Administration's submission of the B&F-calculated budget to the Legislature, the CSRP approved the applications of only two new start-up charter schools rather than three (CSRP had approved Kamaile Elementary as a conversion charter prior to the budget-preparation process). CSAO re-calculated the total projected increased enrollment for these new schools by combining the enrollment projections for the two approved new start-up schools in 2008-09 (Kawaikini PCS: 117; Kona Pacific PCS: 80) and the DOE-provided projected enrollment for Kamaile (641). This total, 838 additional students, was multiplied by the same per pupil amount as requested for existing charter schools, $8,738.51, yielding an overall increased funding calculation for new schools of $7,322,871. When this amount was reduced by the amount expected to be transferred from EDN 150 to EDN 600 due to the conversion of Kamaile, we requested support from the Administration for a recalculated funding adjustment of $4,691,459 for these three new charter schools (see attached support letter from the Administration). CSAO presented these amended enrollment and budget calculations to the Senate Committee on Ways and Means and the House Committee on Finance on January 7 and January 9, 2008 respectively.

Conclusion and Recommendation
Given B&F's inclusion rather than exclusion of DOE's transfer amount for Kamaile in the Administration's approved budget request, the entire charter school system will be seriously under-funded in 2008-09 unless a reasonable adjustment can be provided by the Legislature to account for this inconsistencies in funding related to Kamaile Elementary. CSAO therefore respectfully requests the support of the House Committee on Finance for

adjusting our budget to move these funds, which always had been intended by DOE to be transferred to CSAO for Kamaile Elementary Conversion Charter School, from EDN 150 to EDN 600. Specifically, we seek the transfer of **$2,631,412** to offset the inappropriate inclusion of DOE's transfer amount in B&F's budget calculation for new school funding.

Mahalo nui for your consideration of this request.

cc: Senate Committee on Education
Senator Norman Sakamoto, Chair

House Committee on Education
Representative Roy Takumi, Chair

MAR 25 2008

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

March 24, 2008

The Honorable Roy Takumi, Chair, House Committee on Education
The Honorable Norman Sakamoto, Chair, Senate Committee on Education
State Capitol
Honolulu, Hawaii 96813

Dear Chairs of the House and Senate Committees on Education:

We appreciate the efforts of the Legislature to address the issue of funding for public charter schools. We would like to ask for your support in providing $2,631,412 in funding for Kamaile Elementary School which converted to a charter school. This funding should be transferred from EDN 150 in the budget of the Department of Education into EDN 600 for charter schools.

Should you have any questions or desire further conversations on this matter, please do not hesitate to contact me at 586-0027. You may also contact Deputy Policy Advisor Nani Medeiros at 586-0225 or Nani.Medeiros@hawaii.gov.

Sincerely,

LINDA L. SMITH
Senior Policy Advisor

cc: Glen Kila
Georgina Kawamura
Reshela DuPuis

HOUSE OF REPRESENTATIVES
State of Hawaii

April 4, 2008

MEMORANDUM

TO: Reshela DuPuis, PhD, Executive Director
Charter Schools Administrative Office

FROM: Representative Marcus R. Oshiro, Chairman
House Committee on Finance

RE: Charter School Budget Request Adjustment for New Schools

Thank you for your memorandum dated March 31, 2008, requesting the transfer of $2,631,412 from EDN 150 to EDN 600. It is also my understanding that Chair Baker of the Senate Ways and Means Committee has provided a response to you dated April 4, 2008. I would like to echo the sentiments of Chair Baker as expressed in that response.

Therefore, I insist on receiving official communication from the Governor in the form of a Governor's Message, relating to the budget, with regard to your request to transfer these additional funds.

In addition, it is my understanding that the Chief Financial Officer of the Charter Schools Administrative Office, Mr. Bob Roberts, knew of this discrepancy on or around February 1, 2008 via correspondence with my staff. Therefore, I wish to echo Chair Baker's sentiments about it taking so long to bring this discrepancy to light.

If you have any questions or concerns, please feel free to contact me at 586-6200. In addition, you may also contact my Budget Chief, Michael Ng, at 586-6200 as well. Thank you for your time and consideration on this matter.

c: Georgina Kawamura, Director, Dept. of Budget and Finance
Linda Smith, Senior Policy Advisor, Office of the Governor
Patricia Hamamoto, Superintendent, Dept. of Education
Senator Norman Sakamoto, Chair, Committee on Education
Representative Roy Takumi, Chair, Committee on Education
Bob Roberts, CSAO

Representative M. Oshiro continued his written remarks as follows:

"**Temporary Assistance for Needy Families:**

"Mr. Speaker, one of the areas of criticism in the budget will be the reductions to the Temporary Assistance for Needy Families (TANF) program.

"Mr. Speaker, there have been several comments made by the Director of Human Services that make the implication that we are heartless in our actions regarding TANF funding. As a former Legal Aid attorney, Mr. Speaker, I have worked with individuals and families on welfare. I have seen, first hand, their plight and their hopes and goals. One of the things I find most disturbing, Mr. Speaker, are insinuations that we are heartless.

"Director Koller and the Governor's "spin" team have done a magnificent job in changing the story. Everyone has forgotten and overlooked the simple truth that this would not be an issue if Director Koller had not misled the Legislature, service providers, and the public by **submitting a false** financial plan regarding TANF. I respectfully request your permission to submit correspondence that verifies this.

"The bottom line is that the misleading TANF financial plan submitted by the Director of Human Services shows that there are healthy ending balances through 2014. The truth, however, is that this is a result of incorrect math by the Department. Once corrected, the Department's TANF financial plan shows a deficit of $16 million at the end of fiscal year 2010 – 20 months from now. This means that even if we do nothing now, there WILL be a $16 million cut to programs simply to balance the budget.

"The Legislature has been forced into making these cuts because of the Department's mistakes and erroneous information provided to the Legislature, providers, and the public.

"Mr. Speaker, I hope that the following remarks will clarify the reasons behind the Legislature's actions.

"The State receives nearly $99 million every year from the federal government to run its TANF program. However, the Administration's plan was to spend $137.6 million every year, or nearly $38 million MORE than what the State receives. This is clearly not a sustainable plan. In fact, the Director's own documents show that the TANF reserve fund will have a NEGATIVE fund balance by the end of Fiscal Year 2010.

"At that point in time, we would be faced with having to cut TANF spending by $38 million all at once, far more than the $28 million reduction in this budget. Mr. Speaker, that seems like a far deeper and crueler course of action to me.

"There is also the belief that having a large reserve balance means that the money is gone forever. However, the Department's own spending habits today clearly points out the error in this reasoning. The only reason that the Department is able to spend TANF money on various arts and culture programs is because of the large reserve that is used for cash assistance payments. If those cash assistance payments can not be made out of the reserve, fewer resources are available for other programs.

"People like analogies, so here is mine: When the well is starting to run dry, you start to conserve water; you don't keep using it until it runs out and then start looking for another well. This budget proposes to conserve the TANF resources available, and that means having to reduce spending on these worthwhile programs. It is not an easy choice, but given the long-term ramifications, I believe it is the one that best serves the public interest in the long run.

"It is easy to spend money today and not worry about tomorrow. However, I do not feel that it is fiscally responsible to the people of Hawaii to do so.

"Thank you, Mr. Speaker."

Representative M. Oshiro submitted the following documents relating to TANF:

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HOUSE OF REPRESENTATIVES
State of Hawaii

March 31, 2008

MEMORANDUM

TO: Lillian B. Koller, Director
Department of Human Services

FROM: Representative Marcus R. Oshiro, Chairman
House Committee on Finance

RE: TANF Financial Plan

Act 213, Session Laws of Hawaii 2007, Section 209, requires the Department of Human Services (DHS) to provide a detailed financial plan for federal Temporary Assistance for Needy Families (TANF) funds. After reviewing the plan posted on the DHS web site, your assistance is requested in clarifying a discrepancy noted in your TANF financial plan.

Page 4 of your December 2007 report (please note attachment 1 for reference) provides a detailed TANF financial plan from Fiscal Year (FY) 2006 to FY 2012. For FY 2007 and FY 2008, the beginning balance for the Federal Reserve Fund is the sum of the ending balances of the Federal Reserve Fund and TANF Federal from the prior fiscal year. However, this is not true for FY 2009-2012.

For example, the FY 2006 ending balance for the Federal Reserve Fund is $83.6 million and the ending balance for TANF Federal is $35.8 million. The sum of these balances is $119.4 million, which is the beginning balance of the Federal Reserve Fund for FY 2007.

Likewise, the FY 2007 ending balance for the Federal Reserve Fund is $75.3 million and the ending balance for TANF Federal is $36.5 million. The sum of these balances is $111.8 million, which is the beginning balance of the Federal Reserve Fund for FY 2008.

However, the FY 2008 ending balance for the Federal Reserve Fund is $66.8 million and the ending balance for TANF Federal is $0.8 million. The sum of these balances is $67.6 million, which **is not** the beginning balance of the Federal Reserve Fund for FY 2009 reported by DHS. Your report clearly shows a beginning balance of $92.2 million in FY 2009, $24.6 million more than what the data actually indicates.

Furthermore, the FY 2009 ending balance for the Federal Reserve Fund is $47.2 million and the ending balance for TANF Federal is $6.3 million. The sum of these balances is $53.5 million, which **is not** the beginning balance of the Federal Reserve Fund for FY 2010 reported by DHS. Your report clearly shows a beginning balance of $78.3 million in FY 2010, $24.8 million more than what the data actually indicates.

The cumulative difference over the two years discussed is $49.5 million. Similar discrepancies are observed in FY 2011 and FY 2012, resulting in a $99 million over-statement of revenue over the four years, FY 2009 through FY 2012 (please see attachment 2 for details).

Please provide the following information:

1. Please discuss the reason(s) for the discrepancies in the calculation of the fund balances for the Federal Reserve Fund.
2. Please provide an updated TANF financial plan that does not include these discrepancies.
3. Please discuss the impacts to services as a result of these differences from the original financial plan that you submitted to the Legislature in December 2007.

Please submit your response to my office no later than Friday, April 4, 2008. Should you have any questions or concerns regarding this matter, please contact Michael Ng, Budget Chief, of the House Committee on Finance at 586-6200. Thank you for your time and consideration of this matter.

Attachments

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FINANCIAL PLAN FOR TANF FUNDS
REPORT DUE TO 2008 LEGISLATURE

ATTACHMENT 1

EXPENDITURE CATEGORIES	TANF PURPOSES	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
		FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE
BALANCE		118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	92.2	98.9	71.2	78.3	98.9	71.2	64.3	98.9	71.2	50.4	98.9	71.2
TRANSFERS TO:																						
CHILD CARE DEVELOPMENT FUND (CCDF)	1, 2		5.0			7.4			19.9			19.9			19.9			19.9			19.9	
SOCIAL SERVICES BLOCK GRANT (SSBG)	3,4		9.9			9.9			9.9			9.9			9.9			9.9			9.9	
CASH ASSISTANCE TO NEEDY FAMILIES	1	33.2	0.0	24.4	41.1	0.0	25.8	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1
NON- ASSISTANCE PAYMENTS TO NEEDY FAMILIES	1	0.0	4.6	0.0	0.0	1.2	2.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0
ADMINISTRATION	1, 2	2.0	7.5	8.1	2.4	8.5	6.9	2.5	9.7	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9
SYSTEMS COSTS	1	0.0	1.9	0.8	0.8	2.8	0.7	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0
WORK PROGRAM CONTRACTS	1,2		7.1	0.0		10.4	0.0		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6
SUPPORT SERVICES	1,2		14.5	0.0		4.3	2.6		16.7	5.4		9.9	5.4		9.9	5.4		9.9	5.4		9.9	5.4
AFTER SCHOOL (A+) PROGRAM	1,2		0.0	4.9		0.0	5.6		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0
CHILD WELFARE SERVICES (CWS) - POS	3,4		3.9	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0
TEEN PREGNANCY & FAMILY STRENGTHENING SERVICE	3,4		8.7	0.0		10.9	0.0		14.6	2.9		16.0	2.9		16.0	2.9		16.0	2.9		16.0	2.9
CHILD CARE BENEFITS	1,2		0.0	10.3		0.0	10.4		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0
MOE FROM MEDQUEST - CFA	1		0.0	24.0		0.0	18.7		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0
MOE FROM OTHER AGENCIES (VOLUNTEER HOURS, ET	1		0.0	18.0		0.0	18.6		0.0	18.0		0.0	18.0		0.0	18.0		0.0	18.0		0.0	18.0
ENDING BALANCE		83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.8	(42.7)	47.2	6.3	(42.7)	33.3	6.3	(42.7)	19.3	6.3	(42.7)	5.4	6.3	(42.7)
PROJECTED EXPENDITURES		35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.1	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9
TOTAL PROJECTED TANF EXPENDITURES			98.3			106.5			143.1			137.6			137.6			137.6			137.6	

TANF PURPOSES:

1 - Provide assistance to needy families.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies.
4 - Encourage the formation and maintenance of two-parent families.

NOTES:

1) Federal TANF rules allow up to 30% of the annual block grant to be transferred to CCDF and SSBG, with SSBG share limited to 10% of the grant
2) IM unit operating costs can be charged to prior year TANF grants
3) Health care expenses paid by the State for Compact of Free Association (CFA) residents that can be claimed for TANF MOE
4) Volunteer social services hours claimed at $18.04 per hour and associated administrative costs

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F:/Detailed Financial Plan (SFY) - FY 08 Legislature

TANF Financial Plan Analysis

DHS December 2007 Report to the 2008 Legislature

Expenditure Categories	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE
Beginning Balance	118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	92.2	98.9	71.2	78.3	98.9	71.2	64.3	98.9	71.2	50.4	98.9	71.2
Expenditures	35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.2	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9
Ending Balance	83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.7	(42.7)	47.2	6.3	(42.7)	33.3	6.3	(42.7)	19.3	6.3	(42.7)	5.4	6.3	(42.7)
Discrepancy in Financial Plan:				-			-			24.7			24.8			24.7			24.8		

Corrected Ending Balances

TANF Deficit

Expenditure Categories	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE	Federal Reserve Fund	TANF Federal	TANF MOE
Balance	118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	67.5	98.9	71.2	28.8	98.9	71.2	(9.9)	98.9	71.2	(48.6)	98.9	71.2
Expenditures	35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.2	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9
Ending Balance	83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.7	(42.7)	22.5	6.3	(42.7)	(16.2)	6.3	(42.7)	(54.9)	6.3	(42.7)	(93.6)	6.3	(42.7)
Ending Balance Difference:	-			-			-			(24.7)			(49.5)			(74.2)			(99.0)		

REPORT TO THE TWENTY-FOURTH HAWAII STATE LEGISLATURE 2008

IN ACCORDANCE WITH THE PROVISIONS OF ACT 213, PART 7, SECTION 209 SESSION LAWS OF HAWAII (SLH) 2007

DEPARTMENT OF HUMAN SERVICES BENEFIT, EMPLOYMENT AND SUPPORT SERVICES DIVISION DECEMBER 2007

REPORT ON ACT 213, PART 7, SECTION 209, RELATING TO THE STATE BUDGET, SESSION LAWS OF HAWAII 2007

ACT 213, PART 7, SECTION 210, SLH 2007, requires the Department to submit a detailed financial plan for federal TANF funds that shall encompass the prior two fiscal years, the current fiscal year, and the next four fiscal years, to include anticipated expenditures by type and fiscal year, and the balance of funding in the federal TANF reserve fund; for each of the fiscal years in the report.

TANF EXPENDITURES FOR STATE FY 2006, 2007, AND 2008:

See the attached charts for an explanation of expenditures for these fiscal years.

TANF FEDERAL FUND RESERVE FEDERAL FISCAL YEAR 2006, 2007:

See attached charts.

TANF PROJECTION FOR THE NEXT FOUR FISCAL YEARS:

The TANF program was reauthorized under the Deficit Reduction Act of 2005. We are currently evaluating various system, policy, and program changes that would be required due to the heightened work requirements and the Federal government defining the countable work activities and requiring the State to implement a documentation and verification system of a client's efforts. We believe the expenditures will remain constant over the next four years as that of the FY 2008 planned TANF expenditures.

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TANF (FEDERAL) LEGISLATIVE PROVISOS
STATE FISCAL YEAR (SFY) 2008

	EXPENDITURE CATEGORIES	SECTION	AMOUNT
A.	TRANSFERS		
	TRANSFER TO CHILD CARE DEVELOPMENT FUND (CCDF)	206	19,900,000
	TRANSFER TO SOCIAL SERVICES BLOCK GRANT (SSBG)	207	9,890,000
	TOTAL TRANSFER		
B.	ADMINISTRATION	202	9,500,000
C.	SYSTEMS COSTS	208	2,088,155
D.	CASH PAYMENTS TO NEEDY FAMILIES	203	45,000,000
E.	PURCHASE OF SERVICE CONTRACTS		
	POSITIVE YOUTH DEVELOPMENT (KALIHI, WAIPAHU, EWA BEACH, WAIANAE COAST)	200 (1)	224,875
	PROGRAM FOR ABUSED OR NEGLECTED OR AT-RISK CHILDREN (FAMILY DEV, SUPPORT AND COUNSELLING)	200 (2)	442,318
	MENTORING TO CHILDREN AND YOUTH OF SINGLE PARENT HOUSEHOLDS	200 (3)	250,000
	POSITIVE YOUTH DEVELOPMENT IN THE COUNTY OF HAWAII	200 (4)	380,000
	POSITIVE YOUTH DEVELOPMENT (KAPAA MIDDLE, CHIEFESS KAMAKAHELEI MIDDLE, WAIMEA CANYON)	200 (5)	450,000
	ORGANIC MICRO-ENTERPRISE FARMING - WAIMANALO, OAHU	200 (6)	120,419
	PROGRAM TO ASSIST LOW-INCOME ADULTS AND ADULTS TRANSITIONING FROM TANF/TAONF	200 (7)	348,993
	TRAINING STIPENDS, EQUIPMENT, TUITION FOR TANF ELIGIBLE ADULTS ENROLLED IN CULINARY (HAWAII)	200 (8)	150,000
	TRAINING PROGRAM FOR 38 TANF ELIGIBLE ADULTS - BIO TECH AND OTHER AGRICULTURAL (HILO, PUNA)	200 (9)	240,000
	COLLABORATIVE TRANSITIONAL LIVING PROGRAMS - TANF ELIGIBLE YOUTH HEAD OF HH (ISLANDWIDE)	200 (10)	644,000
	PROGRAM TO ASSIST TANF ELIGIBLE FAMILIES TO BECOME HOMEOWNERS (NANAKULI, HILO, MAUI, KAUAI)	200 (11)	125,000
	PROGRAM TO ADDRESS ALCOHOL ABUSE AND STRENGTHEN PUBLIC AWARENESS (HAWAII)	200 (12)	175,650
	PROGRAMS FOR DISADVANTAGED YOUTH AND TANF ELIGIBLE ADULTS - PALOLO VALLEY	200 (13)	288,468
	PGMS FOR TANF ELIGIBLE NATIVE HAWAIIAN FAMILIES (40) TO SUCCEES IN HOMEOWNERSHIP - LEEWARD COAST	200 (14)	257,055
	ASSIST 300 TANF ELIGIBLE FAMILIES TO RISE ABOVE POVERTY LINE TOWARD SELF-SUFFICIENCY (KAUAI)	200 (15)	76,780
	ASSIST TANF ELIGIBLE FAMILIES TO RISE ABOVE POVERTY LINE TOWARD SELF-SUFFICIENCY (OAHU, MOLOKAI, HIL(	200 (16)	185,000
			4,358,558
F.	SALARY FOR 3 TEMPORARY TANF POSITIONS	201	200,000
G.	WORK PROGRAM CONTRACTS, SUPPORT SERVICES, OUT-OF-WEDLOCK PREGNANCY PREVENTION	204	38,663,587
H.	CHILD PROTECTIVE SERVICES - POS	205	7,000,000
I.	AMOUNT APPROPRIATED BY LEGISLATURE THAT IS EARMARKED		5,899,700
J.	ACT 107 - HEALTHY START PROGRAM AND ENHANCED HEALTHY START		1,660,409
	TOTAL PER LEGISLATIVE PROVISOS		144,160,409

TANF PURPOSES:

1 - Provide assistance to needy famlies.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies.
4 - Encourage the formation and maintenance of two-parent families.

FINANCIAL PLAN FOR TANF FUNDS
REPORT DUE TO 2008 LEGISLATURE

EXPENDITURE CATEGORIES	TANF PURPOSES	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
		FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE
BALANCE		118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	92.2	98.9	71.2	78.3	98.9	71.2	64.3	98.9	71.2	50.4	98.9	71.2
TRANSFERS TO:																						
CHILD CARE DEVELOPMENT FUND (CCDF)	1, 2		5.0			7.4			19.9			19.9			19.9			19.9			19.9	
SOCIAL SERVICES BLOCK GRANT (SSBG)	3,4		9.9			9.9			9.9			9.9			9.9			9.9			9.9	
CASH ASSISTANCE TO NEEDY FAMILIES	1	33.2	0.0	24.4	41.1	0.0	25.8	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1
NON- ASSISTANCE PAYMENTS TO NEEDY FAMILIES	1	0.0	4.6	0.0	0.0	1.2	2.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0
ADMINISTRATION	1, 2	2.0	7.5	8.1	2.4	8.5	6.9	2.5	9.7	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9
SYSTEMS COSTS	1	0.0	1.9	0.8	0.6	2.8	0.7	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0
WORK PROGRAM CONTRACTS	1,2		7.1	0.0		10.4	0.0		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6
SUPPORT SERVICES	1,2		14.5	0.0		4.3	2.6		16.7	5.4		9.9	5.4		9.9	5.4		9.9	5.4		9.9	5.4
AFTER SCHOOL (A-) PROGRAM	1,2		0.0	4.9		0.0	5.6		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0
CHILD WELFARE SERVICES (CWS) - POS	3,4		3.9	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0
TEEN PREGNANCY & FAMILY STRENGTHENING SERVICE	3,4		8.7	0.0		10.9	0.0		14.6	2.9		16.0	2.9		16.0	2.9		16.0	2.9		16.0	2.9
CHILD CARE BENEFITS	1,2		0.0	10.3		0.0	10.4		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0
MOE FROM MEDQUEST - CFA	1		0.0	24.0		0.0	18.7		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0
MOE FROM OTHER AGENCIES (VOLUNTEER HOURS, ET	1		0.0	18.0		0.0	18.6		0.0	18.0		0.0	18.0		0.0	18.0		0.0	18.0		0.0	18.0
ENDING BALANCE		83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.8	(42.7)	47.2	6.3	(42.7)	33.3	6.3	(42.7)	19.3	6.3	(42.7)	5.4	6.3	(42.7)
PROJECTED EXPENDITURES		35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.1	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9	45.0	92.6	113.9
TOTAL PROJECTED TANF EXPENDITURES			98.3			106.5			143.1			137.6			137.6			137.6			137.6	

TANF PURPOSES:

1 - Provide assistance to needy families.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnances.
4 - Encourage the formation and maintenance of two-parent families.

NOTES:

1) Federal TANF rules allow up to 30% of the annual block grant to be transferred to CCDF and SSBG, with SSBG share limited to 10% of the grant
2) IM unit operating costs can be charged to prior year TANF grants
3) Health care expenses paid by the State for Compact of Free Association (CFA) residents that can be claimed for TANF MOE
4) Volunteer social services hours claimed at $18.04 per hour and associated administrative costs

COMPARISON OF LEGISLATIVE PROVISOS AND PLANNED TANF EXPENDITURES (STATE AND FEDERAL
STATE FISCAL YEAR (SFY) 2008 - DETAILED WORKSHEET

	EXPENDITURE CATEGORIES	A CONTRACT NO.	B SFY 2008 LEG. CAP *	C SFY 2008 PLANNED (Federal Funds)	D DIFFERENCE (B - C)	E SFY 2008 TANF MOE (State Funds)
A.	TRANSFERS					
	TRANSFER TO CHILD CARE DEVELOPMENT FUND (CCDF)		19,900,000	19,900,000	0	0
	TRANSFER TO SOCIAL SERVICES BLOCK GRANT (SSBG)		9,890,000	9,890,000	0	0
	TOTAL TRANSFER		29,790,000	29,790,000	0	0
B.	ADMINISTRATION		9,500,000	9,500,000	0	6,900,000
C.	SALARY FOR 3 TEMPORARY TANF-FUNDED POSITIONS		200,000	200,000	0	0
D.	SYSTEMS COSTS		2,088,155	2,800,000		800,000
	TECHNICAL ASSISTANCE IN DATA MODELLING RELATIVE TO TANF WORK PARTICIPATION	*PENDING*		300,000		0
	IBM CONTENT MANAGER PILOT	*PENDING*		49,500		0
	DATA WAREHOUSE PROJECT	*PENDING*		957,000		0
	HAWI TANF ENHANCEMENTS	*PENDING*		500,000		0
	HARDWARE / SOFTWARE	*PENDING*		281,726		0
	PLANNED COMPUTER/EQUIPMENT OURCHASE FOR ELIGIBILITY WORKERS			0		1,200,000
	TOTAL SYSTEMS COSTS		2,088,155	4,888,226	(2,800,071)	2,000,000
E.	CHILD WELFARE SERVICES (CWS) - POS		7,000,000			
	SSD - TEEN PREGNANCY PREVENTION & FAMILY STRENGTHENING SERVICES	DHS-05-BESSD-2235 (SA1)				
	BLUE PRINT FOR CHANGE			907,000		0
	PACT			200,000		0
	HINA MAUKA - OAHU			103,000		0
	HALE KIPA			2,925,555		0
	YWCA - EAST HAWAII			400,000		0
	FAMILY SUPPORT SERVICES OF WEST HAWAII			400,000		0
	CHILD & FAMILY SERVICE - KAUAI			198,925		0
	CHILD & FAMILY SERVICE - OAHU			400,000		0
	MAUI FAMILY SUPPORT SERVICES - MOLOKAI			103,200		0
	CATHOLIC CHARITIES - OAHU			400,000		0
	MAUI FAMILY SUPPORT SERVICES - MAUI / LANAI			400,000		0
	PACT			483,544		0
	TO BE DETERMINED			78,110		0
	TOTAL CHILD WELFARE SERVICES - POS		7,000,000	7,000,000	0	0
F.	CASH PAYMENTS TO NEEDY FAMILIES		45,000,000			
	ASSISTANCE PAYMENTS			41,700,000		35,100,000
	ADM COSTS ASSOCIATED WITH PROVIDING ASSISTANCE			2,500,000		0
	SYSTEMS COSTS ASSOCIATED WITH PROVIDING ASSISTANCE			000,000		0
	TOTAL CASH PAYMENTS TO NEEDY FAMILIES		45,000,000	45,000,000	0	35,100,000
G.	SUPPORT SERVICES, PREGNANCY PREVENTION AND WORK PROGRAM		38,663,587			
	SUPPORT SERVICES - FTW PROGRAM (TRANSPORTATION, EDUCATION, TRAINING)			2,200,000		600,000
	NON-ASSISTANCE PAYMENTS (INCLUDING GRANT DIVERSION)			1,450,000		0
	SUPPORT SERVICES CONTRACTS :					
	ALOHA HOUSE - SUBSTANCE ABUSE TREATMENT FOR TAONF/TAONF (MAUI, MOLOKAI, LANAI)	DHS-07-BESSD-4006		0		24,000
	CFS - DOMESTIC VIOLENCE LEGAL SERVICES (EXCEPT KAUAI)	DHS-08-BESSD-5048		0		842,100
	CYRCA INSURANCE MANAGEMENT - MEDICAL BOARD EVALUATION	DHS-06-BESSD-3098		0		1,528,861
	DLIR - LEGAL ADVOCACY, OUTREACH AND REFERRAL SERVICES FOR TANF/TAONF ELIGIBLE	DHS-06-BESSD-3156 (SA2)		150,000		0
	FOOD STAMP PARTICIPATION AND OUTREACH SERVICES			250,000		0
	GOODWILL - VOCATIONAL REHAB SERVICES FOR TANF/TAONF RECIPIENTS (OAHU)	DHS-07-BESSD-4010 (SA1)		632,516		0
	GOODWILL - VOCATIONAL REHAB SERVICES FOR TANF/TAONF RECIPIENTS (EAST HAWAII)	DHS-05-BESSD-2191 (SA3)		475,000		0
	HPHA - HOUSING PLACEMENT PROGRAMS FOR TANF FAMILIES	DHS-05-BESSD-2140		2,763,324		0
	HPHA - HOUSING PLACEMENT PROGRAMS FOR TANF FAMILIES	DHS-06-BESSD-3187 (SA3)		2,668,000		0
	HINA MAUKA - SUBSTANCE ABUSE TREATMENT FOR OAHU AND KAUAI	DHS-07-BESSD-4005		1,032,000		0
	INSIGHTS TO SUCCESS - VOC REHABILITATION SERVICES (MAUI, KAUAI, WEST HAWAII)	DHS-06-BESSD-3107 (SA1)		0		454,030
	LASH - DOMESTIC VIOLENCE LEGAL SERVICES	DHS-06-BESSD-3029 (SA2)		0		125,000
	LOKAHI TREATMENT CENTERS - SUBSTANCE ABUSE SERVICES (BIG ISLAND)	DHS-07-BESSD-4004		0		144,000
	PARTNERS IN DEVELOPMENT FOUNDATION - FAMILY LITERACY THRU TUTU AND ME	DHS-07-BESSD-4171		0		450,000
	SSD - DOMESTIC VIOLENCE SHELTER SERVICES & FAMILY STRENGTHENING SERVICES	DHS-06-BESSD-3180 (SA2)		0		1,200,000
	TIFFE - PARENTING SKILLS AND RESOURCE MANAGEMENT TRAINING	DHS-06-BESSD-3064 (SA2)		500,000		0
	WINDWARD SPOUSE ABUSE SHELTER - DOMESTIC VIOLENCE SHELTER SERVICES	DHS-07-BESSD-4209		0		24,500
	YWCA OF KAUAI - DOMESTIC VIOLENCE ADVOCACY SERVICES	DHS-08-BESSD-5047		0		51,100
	TOTAL SUPPORT SERVICES			12,120,840		5,444,191
	TEEN PREGNANCY PREVENTION & FAMILY STRENGTHENING SERVICES					
	ADULT FRIENDS FOR YOUTH - TEEN PREGNANCY PREVENTION & FAMILY STRENGTHENING	DHS-06-3189 (SA1)		0		24,800
	BABY HUI - TEEN PREGNANCY PREVENTION & FAMILY STRENGTHENING	DHS-06-BESSD-3192 (SA2)		0		24,800
	BOYS & GIRLS CLUB OF HAWAII - TEEN PREGNANCY PREVENTION - EWA BEACH	DHS-07-BESSD-4147		0		125,000
	BOYS & GIRLS CLUB OF HAWAII - TEEN PREGNANCY PREVENTION - WAIMEA, KAUAI	DHS-07-BESSD-4150		0		125,000
	COUNTY OF KAUAI - FAMILY STRENGTHENING & POSITIVE YOUTH DEVELOPMENT	DHS-07-BESSD-4214		0		762,319
	DAVID YAHIRO - FAMILY STRENGTHENING SERVICES	DHS-07-BESSD-4205		24,956		0
	DBEDT - POSITIVE YOUTH DEVELOPMENT (HIEST ACADEMY PROGRAM)	DHS-07-BESSD-4213		1,928,568		0
	DBEDT - POSITIVE YOUTH DEVELOPMENT (ROBOTICS)	DHS-07-BESSD-4212		100,000		0
	DOE - TEEN PREGNANCY PREVENTION PROGRAM (PEP AND GRADS PROGRAM)	DHS-06-BESSD-3040 (SA2)		00,390		0
	DOE - UPLINK (MIDDLE SCHOOL STATEWIDE) AFTER SCHOOL PROGRAM	DHS-06-BESSD-3117 (SA1)		2,000,000		0
	DOD - ABOUT FACE PROGRAM	DHS-05-BESSD-2233 (SA5)		1,472,290		0
	DOD - ABOUT FACE PROGRAM	DHS-07-BESSD-4079		2,500,000		0
	DOD - TEEN PREGNANCY PREVENTION (HEALTHY LIFESTYLES)	DHS-05-BESSD-2203 (SA2)		2,200,000		0
	DOH - IMPLEMENT AND MONITOR TEEN PREGNANCY PREVENTION PROGRAMS	DHS-05-BESSD-1919 (SA3)		84,127		0
	DOH - MONITORING OF FAMILY PLANNING HEALTH EDUCATION AND OUTREACH SERVICES	DHS-08-BESSD-5031		463,587		0
	HALE KIPA - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CENTERS	DHS-07-BESSD-4148		0		125,000
	HAWAII STATE COMMISSION ON FATHERHOOD	DHS-06-BESSD-3186 (SA1)		50,000		0
	HEKEKO LLC - FAMILY STRENGTHENING	DHS-07-BESSD-4210		24,931		0
	HONOLULU BOY CHOIR - POSITIVE YOUTH DEVELOPMENT	DHS-07-BESSD-4114		149,834		0
	HUI MALAMA I KE KAI FOUNDATION - FAMILY STRENGTHENING SERVICES	DHS-07-BESSD-4208		24,990		0
	HUI MALAMA LEARNING CENTER - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CTRS	DHS-07-BESSD-4151		0		125,000
	HUI MALAMA LEARNING CENTER - TEEN PREGNANCY PREVENTION	DHS-06-BESSD-3190 (SA1)		0		24,800
	IGWT INC - HEALTH EDUCATION NETWORK BY COMMUNITY-BASED ORGANIZATIONS	DHS-08-BESSD-5068		0		14,960
	KANU O KA'AINA LEARNING (KALO) - AFTER SCHOOL PGM AT NATIVE HAWN CHARTER SCH	DHS-05-BESSD-2229 (SA3)		1,461,520		0
	KOKUA KALIHI VALLEY - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CTRS (KALIHI)	DHS-06-BESSD-3144 (SA1)		0		137,500
	KUALOA-HEEIA ECUMENICAL YOUTH (KEY) - POSITIVE YOUTH DEVT (KAHALUU AREA)	DHS-08-BESSD-5076		150,000		0
	(THE) LEWIN GROUP - STRATEGIC PLANNING & TRAINING FOR DHS STAFF	DHS-08-BESSD-5080		33,115		0
	MAUI ECONOMIC OPPORTUNITY COUNCIL - TEEN PREGNANCY PREVENTION	DHS-06-BESSD-3191 (SA1)		0		24,800
	MAUI YOUTH & FAMILY SVCS - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CENTERS	DHS-07-BESSD-4152		0		125,000
	NAJIBI COMMUNICATIONS INC - FAMILY STRENGTHENING	DHS-07-BESSD-4206		24,921		0
	P A C T - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CENTERS (PUUWAI MOMI)	DHS-07-BESSD-4149		0		125,000
	P A C T - TEEN PREGNANCY PREVENTION IN YOUTH SERVICE CENTERS (KALIHI)	DHS-06-BESSD-3142 (SA1)		0		201,478
	PARTNERS IN DEVELOPMENT - POSITIVE YOUTH DEVELOPMENT	DHS-07-BESSD-4211		0		14,994
	POSITIVE CONNECTIONS - FAMILY STRENGTHENING SERVICES	DHS-07-BESSD-4207		15,000.00		0
	READ ALOUD AMERICA	DHS-07-BESSD-4190		539,671		0
	SFCA - ARTS AND CULTURAL EDUCATION TO PREVENT OUT-OF-WEDLOCK PREGNANCIES	DHS-07-BESSD-4072		725,000		0
	SUSANNAH WESLEY - TEEN PREGNANCY PREVENTION (KALIHI)	DHS-06-BESSD-3140 (SA1)		0		161,022
	THE SALVATION ARMY - TEEN PREGNANCY PREVENTION (KEAAU)	DHS-07-BESSD-4154		0		125,000
	THE SALVATION ARMY - TEEN PREGNANCY PREVENTION (PAHOA)	DHS-07-BESSD-4155		0		125,000
	THE SALVATION ARMY - TEEN PREGNANCY PREVENTION (HILO)	DHS-07-BESSD-4153		0		125,000
	UH - TEEN PREGNANCY PREVENTION COURSE FOR DOE TEACHERS	DHS-07-BESSD-4034		48,830		0
	UH - EVALUATION OF MIDDLE SCHOOL AFTER SCHOOL UPLINK PROGRAM	DHS-06-BESSD-3145 (SA1)		0		202,000
	UH - EVALUATION OF MOLOKAI MIDDLE SCHOOL AFTER SCHOOL UPLINK PGM	DHS-06-BESSD-3118 (SA1)		0		192,000
	HONOLULU SYMPHONY SOCIETY	DHS-08-BESSD-5085		490,000		0
	TOTAL TEEN PREGNANCY PREVENTION			14,599,730		2,910,473

COMPARISON OF LEGISLATIVE PROVISOS AND PLANNED TANF EXPENDITURES (STATE AND FEDERAL
STATE FISCAL YEAR (SFY) 2008 - DETAILED WORKSHEET

	EXPENDITURE CATEGORIES	A CONTRACT NO.	B SFY 2008 LEG. CAP *	C SFY 2008 PLANNED (Federal Funds)	D DIFFERENCE (B - C)	E SFY 2008 TANF MOE (State Funds)
	WORK PROGRAM CONTRACTS					
	CITY & COUNTY OF HONOLULU (WORK HAWAII) - CASE MANAGEMENT SERVICES ON OAHU	DHS-08-BESSD-5042		327,707		0
	CITY & COUNTY OF HONOLULU (WORK HAWAII) - HO'ALA PRE-EMPLOYMENT TRAINING SVCS	DHS-08-BESSD-5043		1,689,047		0
	DOD -FORWARD MARCH PROGRAM	DHS-06-3127 (SA3)		1,000,000		0
	DOE - ADULT BASIC EDUCATION	DHS-06-BESSD-3047 (SA2)		0		130,554
	DLIR - CASE MGT & JOB DEVELOPMENT SERVICES FOR TANF	DHS-04-BESSD-1704 (SA5)		715,327		715,327
	DLIR - EMPLOYMENT CORE SERVICES FOR LOW INCOME POPULATIONS	DHS-06-BESSD-3058 (SA2)		0		1,250,000
	DLIR - SHARED OFFICE SPACE WITH WDD	DHS-05-BESSD-2198		42,000		0
	GOODWILL - CASE MANAGEMENT SERVICES (OAHU)	DHS-08-BESSD-5039		0		1,250,000
	GOODWILL - CASE MANAGEMENT SERVICES (EAST HI)	DHS-06-BESSD-3031 (SA1)		412,500		0
	GOODWILL - UNIVERSAL ENGAGEMENT (DOWNTOWN, OAHU)	DHS-04-BESSD-1959 (SA3)		632,469		0
	GOODWILL - UNIVERSAL ENGAGEMENT (LEEWARD, OAHU)	DHS-05-BESSD-2136 (SA4)		651,213		0
	GOODWILL - UNIVERSAL ENGAGEMENT (EAST HI - HILO)	DHS-05-BESSD-2137 (SA4)		621,501		0
	GOODWILL - SEE PROGRAM (MARKETING, JOB DEVELOPMENT & PLACEMENT)	DHS-05-BESSD-2175		978,330		0
	GOODWILL - SEE PROGRAM (MARKETING, JOB DEVELOPMENT & PLACEMENT)	DHS-05-BESSD-2175 (SA3)		45,816		0
	INSIGHTS TO SUCCESS - CASE MANAGEMENT (MAUI, KAUAI, WEST HI)	DHS-06-BESSD-3024 (SA2)		835,767		0
	INSIGHTS TO SUCCESS - GRANT DIVERSION PROGRAM ON MAUI, KAUAI, KONA	DHS-06-BESSD-3097 (SA2)		869,489		0
	NORTHSTAR ALLIANCE - EMPLOYMENT & TRAINING FOR SEE PROGRAM PARTICIPANTS	DHS-07-BESSD-4143		2,500,000		0
	PATRIOT MANAGED CARE SOLUTIONS - FISCAL AGENT FOR SEE PROGRAM	DHS-07-BESSD-4195		175,000		0
	PATRIOT MANAGED CARE SOLUTIONS - SEE PROGRAM	VARIOUS		2,000,000		0
	UNIVERSITY OF HAWAII - BRIDGE TO HOPE CAMPUS EMPLOYMENT	DHS-06-BESSD-3059 (SA2)		372,163		0
	UNIVERSITY OF HAWAII (KCC) - VOCATIONAL SKILLS INSTRUCTION FOR FTW PARTICIPANTS	DHS-07-BESSD-4116 (SA1)		15,000		15,000
	UNIVERSITY OF HAWAII (LCC) - ADULT BASIC SKILLS	DHS-07-BESSD-4039 (SA1)		101,775		101,775
	UNIVERSITY OF HAWAII (MCC) - MAUI DENTAL SERVICES FOR TANF/TAONF ELIGIBLES	DHS-05-BESSD-2139 (SA3)		0		150,000
	TOTAL WORK PROGRAM CONTRACTS			13,985,104		3,612,656
	TOTAL SUPPORT SERVICES, PREGNANCY PREVENTION AND WORK PROGRAM		38,663,587	40,705,674	(2,042,087)	11,967,320
H.	PURCHASE OF SERVICE CONTRACTS					
	POSITIVE YOUTH DEVELOPMENT (KALIHI, WAIPAHU, EWA BEACH, WAIANAE COAST)		224,875	224,875		0
	PROGRAM FOR ABUSED OR NEGLECTED OR AT-RISK CHILDREN (FAMILY DEV, SUPPORT AND COUNSELLING)		442,318	442,318		0
	MENTORING TO CHILDREN AND YOUTH OF SINGLE PARENT HOUSEHOLDS		250,000	250,000		0
	POSITIVE YOUTH DEVELOPMENT IN THE COUNTY OF HAWAII		380,000	380,000		0
	POSITIVE YOUTH DEVELOPMENT (KAPAA MIDDLE, CHIEFESS KAMAKAHELEI MIDDLE, WAIMEA CANYON)		450,000	450,000		0
	ORGANIC MICRO-ENTERPRISE FARMING - WAIMANALO, OAHU		120,419	120,419		0
	PROGRAM TO ASSIST LOW-INCOME ADULTS AND ADULTS TRANSITIONING FROM TANF/TAONF		348,993	348,993		0
	TRAINING STIPENDS, EQUIPMENT, TUITION FOR TANF ELIGIBLE ADULTS ENROLLED IN CULINARY (HAWAII		150,000	150,000		0
	TRAINING PROGRAM FOR 38 TANF ELIGIBLE ADULTS - BIO TECH AND OTHER AGRICULTURAL (HILO, PUNA		240,000	240,000		0
	COLLABORATIVE TRANSITIONAL LIVING PROGRAMS - TANF ELIGIBLE YOUTH HEAD OF HH (ISLANDWIDE		644,000	644,000		0
	PROGRAM TO ASSIST TANF ELIGIBLE FAMILIES TO BECOME HOMEOWNERS (NANAKULI, HILO, MAUI, KAUAI		125,000	125,000		0
	PROGRAM TO ADDRESS ALCOHOL ABUSE AND STRENGTHEN PUBLIC AWARENESS (HAWAII)		175,650	175,650		0
	PROGRAMS FOR DISADVANTAGED YOUTH AND TANF ELIGIBLE ADULTS - PALOLO VALLEY		288,468	288,468		0
	PGMS FOR TANF ELIGIBLE NATIVE HAWAIIAN FAMILIES (40) TO SUCCEES IN HOMEOWNERSHIP - LEEWARD COAST		257,055	257,055		0
	ASSIST 300 TANF ELIGIBLE FAMILIES TO RISE ABOVE POVERTY LINE TOWARD SELF-SUFFICIENCY (KAUAI		76,780	76,780		0
	ASSIST TANF ELIGIBLE FAMILIES TO RISE ABOVE POVERTY LINE TOWARD SELF-SUFFICIENCY (OAHU, MOLOKAI, HILO		185,000	185,000		0
	TOTAL PURCHASE OF SERVICE CONTRACTS		4,358,558	4,358,558	0	0
I.	AMOUNT APPROPRIATED BY LEGISLATURE THAT IS EARMARKED		5,899,700 ♣	0	5,899,700	0
J.	ACT 107 - HEALTHY START PROGRAM AND ENHANCED HEALTHY START					
	DOH - SERVICES TO PROMOTE CHILD HEALTH & DEVT IN NEWBORNS OF FAMILIES AT RISK	DHS-08-BESSD-5062	1,660,409	1,660,409	0	0
K.	AFTER SCHOOL (A+) PROGRAM		0	0	0	6,000,000
L.	CHILD CARE BENEFITS		0	0	0	5,000,000
M.	MOE FROM DOE - AFTER SCHOOL PROGRAM ADM COSTS		0	0	0	5,000,000
N.	MOE FROM MEDQUEST (CFA)		0	0	0	24,000,000
O.	OTHER AGENCIES (VOLUNTEER HOURS, ETC)		0	0	0	18,000,000
P.	PROJECTED UNEXPENDED FUNDS FROM CONTRACTS		0	(6,000,000)	6,000,000	0
Q.	PLANNED CONTRACTS USING PROJECTED SAVINGS FROM (Q)					
	COMMUNITY SERVICES RFP		0	3,000,000		0
	DRUG ABUSE AWARENESS CAMPAIGN		0	1,000,000		0
	PARTNERS IN DEVELOPMENT		0	1,200,000		0
	MISCELLANEOUS CONTRACTS		0	800,000		0
			0	6,000,000	(6,000,000)	0
	TOTAL EXPENDITURES		**144,160,409**	**143,102,867**	**1,057,542**	**113,967,320**

*	TANF APPROPRIATED AMOUNT PER SECTION 199	142,500,000
	TOTAL TANF FEDERAL PER LEGISLATIVE PROVISOS	(136,600,300)
	TOTAL AVAILABLE APPROPRIATED BY LEGISLATURE THAT IS EARMARKED	5,899,700
♣	AMOUNT EARMARKED BY LEGISLATURE BUT ABSORBED BY OTHER LINE ITEMS	

TANF PURPOSES:

1 - Provide assistance to needy families
2 - End the dependence of needy parents by promoting job preparation work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies
4 - Encourage the formation and maintenance of two-parent families

COMPARISON OF LEGISLATIVE PROVISOS AND PLANNED TANF EXPENDITURES (STATE AND FEDERAL)
STATE FISCAL YEAR (SFY) 2008 - SUMMARY WORKSHEET

	EXPENDITURE CATEGORIES	A SFY 2008 LEG. CAP *	B SFY 2008 PLANNED (Federal Funds)	C DIFFERENCE (A - B)	D SFY 2008 TANF MOE (State Funds)
A.	TRANSFERS				
	TRANSFER TO CHILD CARE DEVELOPMENT FUND (CCDF)	19,900,000	19,900,000	0	0
	TRANSFER TO SOCIAL SERVICES BLOCK GRANT (SSBG)	9,890,000	9,890,000	0	0
	TOTAL TRANSFER	29,790,000	29,790,000	0	0
B.	ADMINISTRATION	9,500,000	9,500,000	0	6,900,000
C.	SALARY FOR 3 TEMPORARY TANF-FUNDED POSITIONS	200,000	200,000	0	0
D.	SYSTEMS COSTS	2,088,155	4,888,226	(2,800,071)	2,000,000
E.	CHILD WELFARE SERVICES (CWS) - POS	7,000,000	7,000,000	0	0
F.	CASH PAYMENTS TO NEEDY FAMILIES	45,000,000			
	ASSISTANCE PAYMENTS		41,700,000		35,100,000
	ADM COSTS ASSOCIATED WITH PROVIDING ASSISTANCE		2,500,000		0
	SYSTEMS COSTS ASSOCIATED WITH PROVIDING ASSISTANCE		800,000		0
	TOTAL CASH PAYMENTS TO NEEDY FAMILIES	45,000,000	45,000,000	0	35,100,000
G.	SUPPORT SERVICES, PREGNANCY PREVENTION, AND WORK PROGRAM	38,663,587			
	SUPPORT SERVICES - FTW PROGRAM (TRANSPORTATION, EDUCATION, TRAINING)		2,200,000		600,000
	NON-ASSISTANCE PAYMENTS (INCLUDING GRANT DIVERSION)		1,450,000		0
	SUPPORT SERVICES CONTRACTS		8,470,840		4,844,191
	TEEN PREGNANCY PREVENTION & FAMILY STRENGTHENING SERVICES		14,599,730		2,910,473
	WORK PROGRAM CONTRACTS		13,985,104		3,612,656
		38,663,587	40,705,674	(2,042,087)	11,967,320
H.	PURCHASE OF SERVICE CONTRACTS	4,358,558	4,358,558	0	0
I.	AMOUNT APPROPRIATED BY LEGISLATURE THAT IS EARMARKED	5,899,700	0	5,899,700	0
J.	ACT 107 - - - HEALTHY START PROGRAM AND ENHANCED HEALTHY START	1,660,409	1,660,409	0	0
K.	AFTER SCHOOL (A+) PROGRAM	0	0	0	6,000,000
L.	CHILD CARE BENEFITS	0	0	0	5,000,000
M.	MOE FROM DOE - AFTER SCHOOL PROGRAM ADM COSTS	0	0	0	5,000,000
N.	MOE FROM MEDQUEST (CFA)	0	0	0	24,000,000
O.	OTHER AGENCIES (VOLUNTEER HOURS, ETC)	0	0	0	18,000,000
P.	PROJECTED UNEXPENDED FUNDS FROM CONTRACTS	0	(6,000,000)	6,000,000	0
Q.	PLANNED CONTRACTS USING PROJECTED SAVINGS FROM (Q)				
	COMMUNITY SERVICES RFP	0	3,000,000		0
	DRUG ABUSE AWARENESS CAMPAIGN	0	1,000,000		0
	PARTNERS IN DEVELOPMENT	0	1,200,000		0
	MISCELLANEOUS CONTRACTS	0	800,000		0
		0	6,000,000	(6,000,000)	0
	TOTAL EXPENDITURES	**144,160,409**	**143,102,867**	**1,057,542**	**113,967,320**

TANF PURPOSES:

1 - Provide assistance to needy famlies.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies.
4 - Encourage the formation and maintenance of two-parent families.

*	TANF APPROPRIATED AMOUNT PER SECTION 199	142,500,000
	TOTAL TANF FEDERAL PER LEGISLATIVE PROVISOS	(136,600,300)
	TOTAL AVAILABLE APPROPRIATED BY LEGISLATURE THAT IS EARMARKED	5,899,700

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F:/Detailed Financial Plan (SFY) - FY 08 Legislature

Mo'ikeha/Ma'ili/analyst

LINDA LINGLE
GOVERNOR

LILLIAN B. KOLLER, ESQ.
DIRECTOR

HENRY OLIVA
DEPUTY DIRECTOR

2008 APR -7 P 6:15

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

April 7, 2008

MEMORANDUM

TO: The Honorable Marcus R. Oshiro, Chair
House Committee on Finance

FROM: Lillian B. Koller, Director
Department of Human Services

SUBJECT: TANF Financial Plan

Thank you for allowing us to respond today to your March 31, 2008 memo. Attached are the following:

- An email from Cynthia Gomez dated April 7, 2008 explaining how the discrepancies in the calculations of the TANF fund balances occurred.
- A revised TANF Financial Plan with the corrections and additional notations in bold at the bottom of the chart. It is important to consider these notations as you move forward with decision-making relating to proposed cuts in Federal TANF funds.
- Impacts from proposed cuts to TANF funded programs in a hand-out entitled "WHY WE NEED TO PROTECT OUR TANF-FUNDED SOCIAL PROGRAMS".

With respect to the attached revised TANF Financial Plan, which spans from 2006 to 2012, please note:

"**This is <u>not</u> reliable. This is not an accurate reflection of the amounts that will be available in the TANF Reserve at any given time because:**

1. **Contracts are allocated at full contract price which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
2. **TANF transfer to CCDF ($19.9 Million) is allocated to full appropriation level which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
3. **TANF transfer to SSBD ($9.89 Million) is allocated to full appropriation level which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
4. **Cash assistance is allocated at the full authorized amount while spending is only on families who meet Federal eligibility requirements and unused amounts will lapse to the TANF Reserve;**

AN EQUAL OPPORTUNITY AGENCY

[This part left intentionally blank.]

The Honorable Marcus R. Oshiro, Chair
April 7, 2008
Page 2

5. **Position vacancy savings from TANF funded positions will lapse to the TANF Reserve; and**
6. **Information and Technology contracts are allocated at full contract price and, if not fully expended, will lapse unused amounts to the TANF Reserve.**

The only time that DHS has reliable figures for the actual amount in the TANF Reserve is at the end of December following the close of the Federal fiscal year."

Finally, we wish to point out that while the TANF Reserve has been reducing over the past few years, this is not solely due to our expanded TANF spending under TANF Purposes 2, 3 and 4, including many new work and work support programs, positive youth development and family strengthening programs, and child welfare services. While Legislators are targeting these valuable programs for reduction, supposedly in order to build up the TANF Reserve, please take note that there is another significant contributor to the reduction of the TANF Reserve over the past few years.

Specifically, to maximize the use of Federal TANF funds, DHS shifted $18 million in expenses from State money to Federal money in 2006, shifted $18.6 million from State to Federal funds in 2007, and we had intended to continue doing this with the Legislature's approval. These Federal TANF funds are used for cash assistance to the disabled and others who do not qualify for TANF and were previously paid with State funds. These Federal TANF funds for cash assistance come from the TANF Reserve and significantly reduce the TANF Reserve.

If Legislators are intent on building up the TANF Reserve again, instead of cutting valuable work support and family poverty reduction programs, they can resume spending State funds – instead of Federal TANF funds – in the amount of $20 million per year starting 2009 for cash assistance to the disabled and others who do not qualify for TANF as was previously done, prior to 2006. This would leave the TANF Reserve at $48.9 million for 2010 and slow down the reduction in TANF Reserve through 2012. Enclosed is an alternative TANF Financial Plan showing this strategy.

We stand by our policy in favor of putting all the Federal TANF Reserve to work to prevent and ameliorate family poverty in Hawaii. Please encourage you and your colleagues to join us.

Attachments

c: Senator Rosalyn H. Baker
Barry Fukunaga, Chief of Staff,
Office of the Governor

AN EQUAL OPPORTUNITY AGENCY

Cynthia Gomez /DHS
04/07/2008 03:47 PM

To Pankaj Bhanot/bessd/DHS@DHS
cc Lillian B Koller/DHS/StateHiUS@StateHiUS, Edwin Igarashi/DHS@dhs
bcc
Subject Response to House Committee on Finance (Re: TANF Financial Plan)

Hi Pankaj,

This is in response to question no. 1 of Representative Marcus R. Oshiro's request, asking for the reason(s) for the discrepancies in the calculation of the fund balances for the Federal Reserve Fund. The discrepancy was attributed to an error in the Excel spreadsheet formula that was used to compute the beginning balances. The cell that showed the FY 2009 Federal Reserve Fund beginning balance contained the formula "N44 (Ending Balance of FY 2008 Federal Reserve Fund) + O44 (Ending Balance of FY 2008 TANF Federal) + 24.6." This formula resulted in a beginning balance of $92.2 million. The additional $24.6 million was from a previous calculation that in error, was not deleted. (Please note that this Excel spreadsheet had been used in prior years wherein actual numbers were entered instead of formulas). The formula should have been "N44 (Ending Balance of FY 2008 Federal Reserve Fund) + O44 (Ending Balance of FY 2008 TANF Federal)," resulting in the correct balance of $67.6 million. The spreadsheet has since been revised and updated to reflect the correct balances. Attached is the corrected worksheet showing FY 2009 Beginning Balance for Federal Reserve Fund of $67.6 million, which is the sum of FY 2008 Ending Balance for Federal Reserve fund of $66.8 million and FY 2008 Ending Balance of TANF Federal of $0.8 million.

Financial Plan - FY 08 Legislature.xls

Cynthia Gomez
Financial Management Office
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Fax (808) 586-5636
Email: cgomez@dhs.hawaii.gov

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FINANCIAL PLAN FOR TANF FUNDS
REPORT DUE TO 2008 LEGISLATURE

EXPENDITURE CATEGORIES	TANF PURPOSES	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
		FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MC
BALANCE		118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	67.6	98.9	71.2	28.9	98.9	71.2	(9.8)	98.9	71.2	(48.4)	98.9	71.
TRANSFERS TO:																						
CHILD CARE DEVELOPMENT FUND (CCDF)	1, 2		5.0			7.4			19.9			19.9			19.9			19.9			19.9	
SOCIAL SERVICES BLOCK GRANT (SSBG)	3,4		9.9			9.9			9.9			9.9			9.9			9.9			9.9	
CASH ASSISTANCE TO NEEDY FAMILIES	1	33.2	0.0	24.4	41.1	0.0	25.8	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.1	41.7	0.0	35.
NON- ASSISTANCE PAYMENTS TO NEEDY FAMILIES	1	0.0	4.6	0.0	0.0	1.2	2.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0
ADMINISTRATION	1, 2	2.0	7.5	6.1	2.4	6.5	6.9	2.5	9.7	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.
SYSTEMS COSTS	1	0.0	1.9	0.8	0.6	2.8	0.7	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.
WORK PROGRAM CONTRACTS	1,2		7.1	0.0		10.4	0.0		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.
SUPPORT SERVICES	1,2		14.5	0.0		4.3	2.6		16.7	5.4		9.9	5.4		9.9	5.4		9.9	5.4		9.9	5.
AFTER SCHOOL (A+) PROGRAM	1,2		0.0	4.9		0.0	5.6		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6
CHILD WELFARE SERVICES (CWS) - POS	3,4		3.9	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.
TEEN PREGNANCY & FAMILY STRENGTHENING SERVICES	3,4		8.7	0.0		10.9	0.0		14.6	2.9		16.0	2.9		16.0	2.9		16.0	2.9		16.0	2.
CHILD CARE BENEFITS	1,2		0.0	10.3		0.0	10.4		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.
MOE FROM MEDQUEST - CFA	1		0.0	24.0		0.0	18.7		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.
MOE FROM OTHER AGENCIES (VOLUNTEER HOURS, ETC)	1		0.0	18.0		0.0	18.6		0.0	43.4		0.0	43.4		0.0	43.4		0.0	43.4		0.0	43.
ENDING BALANCE		83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.8	(68.1)	22.6	6.3	(68.1)	(16.1)	6.3	(68.1)	(54.8)	6.3	(68.1)	(93.4)	6.3	(68
PROJECTED EXPENDITURES		35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.1	139.3	45.0	92.6	139.3	45.0	92.6	139.3	45.0	92.6	139.3	45.0	92.6	139
TOTAL PROJECTED TANF EXPENDITURES			98.3			106.5			143.1			137.6			137.6			137.6			137.6	

TANF PURPOSES:

1 - Provide assistance to needy families.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies.
4 - Encourage the formation and maintenance of two-parent families.

NOTES:

1) Federal TANF rules allow up to 30% of the annual block grant to be transferred to CCDF and SSBG, with SSBG share limited to 10% of the grant
2) IM unity operating costs can be charged to prior year TANF grants
3) Health care expenses paid by the State for Compact of Free Association (CFA) residents that can be claimed for TANF MOE
4) Volunteer social services hours claimed at $18.04 per hour and associated administrative costs

This is not reliable. This is not an accurate reflection of the amounts that will be available in the TANF Reserve at any given time because:

1. **Contracts are allocated at full contract price which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
2. **TANF transfer to CCDF ($19.9 Million) is allocated to full appropriation level which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
3. **TANF transfer to SSBG ($9.89 Million) is allocated to full appropriation level which rarely gets fully expended and unused amounts lapse to the TANF Reserve;**
4. **Cash assistance is allocated at the full authorized amount while spending is only on families who meet Federal eligibility requirements and unused amounts will lapse to the TANF Reserve;**
5. **Position vacancy savings from TANF funded positions will lapse to the TANF Reserve; and**
6. **Information and Technology contracts are allocated at full contract price and, if not fully expended, will lapse unused amounts to the TANF Reserve.**

The only time that DHS has reliable figures for the actual amount in the TANF Reserve is at the end of December following the close of the Federal fiscal year.

Last Updated: 04/7/2008 2:40 PM
Print Date: 4/7/2008 5:38 PM

F:/Detailed Financial Plan (SFY) - FY 08 Legislature

WHY WE NEED TO PROTECT OUR TANF-FUNDED SOCIAL PROGRAMS

Under budget amendments that the State Legislature is considering, there is a danger that Hawaii's most vulnerable populations will suffer harm due to severe spending cuts of Federal dollars. Many parents and children will be deprived of programs that strengthen at-risk families, bring about positive youth development and help people prepare for and obtain employment.

The House budget plan (HB 2500, HD1) would impose $27 million in Federal spending cuts to our State's annual allotment of Temporary Assistance for Needy Families (TANF) funding. The Senate plan (HB 2500, HD1, SD1) would slash $22 million in Federal TANF expenditures.

While some Legislators think it is fiscally prudent to save these Federal dollars for another day, making severe cuts to Hawaii's social programs would actually have the opposite effect. Research shows these programs (see attached list of programs) fulfill the goals of TANF by preventing and ameliorating the long-term effects of family poverty, thus saving taxpayer dollars. This is accomplished by providing services to assist families living in poverty by helping them find and keep employment, and by promoting academic achievement and career preparation, reducing teenage pregnancies, fighting drug and alcohol abuse, teaching life skills and healthy choices, and saving families from domestic violence and child abuse and neglect.

Here are some of the reasons why the Department of Human Services (DHS) strongly believes that the proposed cuts in Federal TANF spending would be harmful for Hawaii's people.

You can save Federal TANF funds but you cannot use them for a rainy day

Our State's annual allotment of nearly $100 million in Federal TANF funds may not serve as an effective "rainy day" emergency fund during an economic collapse. If a large number of businesses do close in the future, their laid-off workers would be eligible for six months of unemployment benefits. Such families may receive too much money to qualify for cash assistance through TANF. It is far better to put these Federal dollars to work right now by providing needy residents with training, childcare, transportation and other supports that enable them to successfully compete for rewarding jobs and become fully productive, taxpaying citizens.

It's magic: You can scale back on poverty prevention programs at any time

If Hawaii does sustain a harsh economic downturn that causes a significant spike in the welfare rolls, **at that time** we could reduce Federal spending on poverty prevention programs and direct these TANF dollars toward cash assistance. DHS has the flexibility to scale back or eliminate Federal funding for contracted services at any time. However, why would we want to cut these valuable programs prematurely? Our State economy is still growing and the family poverty prevention programs are succeeding. Moreover, our TANF caseload has not increased since 2000, and a significant increase is unlikely, despite gloomy predictions from some people.

Beware of self-fulfilling doomsday prophecies

If the Legislature slashes $7 million from our Federal TANF work and work support contracts as the Senate has proposed to do, or slashes $5 million as the House has proposed to do, this unwise move could result in a self-fulfilling doomsday prophecy. Cutting programs that promote self-sufficiency by helping DHS clients transition from welfare to the workplace would keep these families trapped in poverty. In addition, companies may have a harder time meeting their labor demands by employing welfare clients at a time when Hawaii has experienced the lowest unemployment rates in the nation over the past several years.

Getting the biggest bang for our taxpayer bucks

In addition, proposed cuts to family poverty prevention programs for at-risk youth would result in more unwanted pregnancies, higher dropout rates in school, an increase in substance abuse, escalation of child abuse and domestic violence, and a general rise in crime. Investing in positive youth development and teen pregnancy prevention programs creates many additional social benefits, meaning we get more mileage out of our Federal TANF expenditures. These added benefits include character building among at-risk teens, better school attendance and graduation rates, avoidance of alcohol and drug abuse, enhanced life skills and improved job preparedness.

We cannot hope for a bigger return on our Federal TANF spending than helping Hawaii's young people turn their lives around and achieve their potential as productive citizens. Our strategy of contracting with community providers for family poverty prevention services began in December 2003 when DHS awarded a total of $500,000 to three organizations: the Susannah Wesley Community Center, Kokua Kalihi Valley and Parents and Children Together (PACT), and has grown to an investment of approximately one quarter of all our Federal TANF funds into family poverty prevention.

This compassionate and forward-thinking strategy has proven successful for many reasons. It has won the endorsement of top-ranking Federal officials, and it deserves to be continued.

Our TANF-funded programs are proven to be effective

When DHS funds family poverty prevention programs, we want to make sure this TANF money is well spent. That is why we contracted in 2006 for an independent study by the notably respected Lewin Group. This health and human services consulting firm determined that every TANF-funded positive youth development and teen pregnancy program in the State follows approaches that are known to be effective. The consultants based this analysis on visits to the program sites and on extensive research published in the scientific literature.

Proposed Federal TANF spending reductions disregard the TANF Strategic Plan

The Legislature's intention to sharply reduce Federal TANF spending totally disregards objectives of the recently implemented Five-Year TANF Strategic Plan. This plan was called for by the 2006 Legislature and developed over 18 months with the assistance of community stakeholders across the Islands.

According to the plan, at least 25 percent of the State's annual Federal TANF block grant (nearly $100 million per year) should be spent on TANF Purpose 3 (preventing out-of-wedlock pregnancies, including positive youth development programs) and TANF Purpose 4 (forming and maintaining two-parent families, including family strengthening services). If the Legislature's proposed spending cuts become reality, the percentage of Federal TANF funds used for these purposes would drop to just 2 percent.

By spending Federal funds, we save State dollars

Since Lillian Koller became Human Services Director in 2003, DHS has worked to maximize the spending of Federal dollars while minimizing the spending of State dollars. This sound fiscal strategy has the Legislature's support and is producing substantial savings for the State budget.

For example, to maximize the use of Federal TANF funds, DHS shifted $18 million in expenses from State money to Federal money in 2006, shifted $18.6 million in 2007 and intends to continue this strategy at approximately $20 million annually in the future. These Federal TANF funds come from the TANF Reserve and significantly reduce the TANF Reserve.

DHS can accomplish this shift because our community-based service providers – the ones in danger of losing TANF support – also use non-Federal funds to help families escape poverty or avoid becoming destitute. Because these efforts are in keeping with the goals of TANF, the Federal government allows DHS to count expenditures by our service providers toward the State's Maintenance of Effort (MOE) requirement.

This means Hawaii can use Federal dollars – and save State funds – when providing cash assistance (welfare checks) to disabled people and others who are not eligible for TANF because they do not meet the Federal work requirements. If DHS has to cut back on its service contracts, we will have to increase spending of State dollars to meet the required MOE expenditures in order to avoid Federal penalties.

If Legislators are intent on building up the TANF Reserve again, instead of cutting valuable work support and family poverty reduction programs, they can resume spending State funds – instead of Federal TANF funds – for cash assistance to the disabled and others who do not qualify for TANF and were previously paid with State funds. This will restore approximately $18 million to $20 million to the TANF Reserve annually.

It is a scandalous waste to let our share of Federal funds sit idle

Finally, it does not make sense to leave Federal dollars in the Federal treasury rather than put that money to the best possible use. To deprive our citizens of their fair share of Federal dollars, or to let that money sit idle, is a scandalous waste of resources. Many of Hawaii's men, women and children have significant needs. We should use our Federal TANF funding – every last penny – to empower people so they can gain self-sufficiency, self-determination and independence, and lead happy and productive lives.

ALTERNATIVE FINANCIAL PLAN FOR TANF FUNDS

EXPENDITURE CATEGORIES	TANF PURPOSES	FY 2006			FY 2007			FY 2008			FY 2009			FY 2010			FY 2011			FY 2012		
		FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE	FEDERAL RESERVE FUND	TANF FEDERAL	TANF MOE
BALANCE		118.8	98.9	71.2	119.4	98.9	71.2	111.8	98.9	71.2	67.6	98.9	71.2	48.9	98.9	71.2	30.2	98.9	71.2	11.6	98.9	71.2
TRANSFERS TO:																						
CHILD CARE DEVELOPMENT FUND (CCDF)	1, 2		5.0			7.4			19.9			19.9			19.9			19.9			19.9	
SOCIAL SERVICES BLOCK GRANT (SSBG)	3,4		9.9			9.9			9.9			9.9			9.9			9.9			9.9	
CASH ASSISTANCE TO NEEDY FAMILIES	1	33.2	0.0	24.4	41.1	0.0	25.8	41.7	0.0	35.1	21.7	0.0	55.1	21.7	0.0	55.1	21.7	0.0	55.1	21.7	0.0	55.1
NON- ASSISTANCE PAYMENTS TO NEEDY FAMILIES	1	0.0	4.6	0.0	0.0	1.2	2.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0	0.0	1.5	0.0
ADMINISTRATION	1, 2	2.0	7.5	8.1	2.4	8.5	6.9	2.5	9.7	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9	2.5	9.5	6.9
SYSTEMS COSTS	1	0.0	1.9	0.8	0.6	2.8	0.7	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0	0.8	4.9	2.0
WORK PROGRAM CONTRACTS	1,2		7.1	0.0		10.4	0.0		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6		14.0	3.6
SUPPORT SERVICES	1,2		14.5	0.0		4.3	2.6		16.7	5.4		9.9	5.4		9.9	5.4		9.9	5.4		9.9	5.4
AFTER SCHOOL (A+) PROGRAM	1,2		0.0	4.9		0.0	5.6		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0		0.0	6.0
CHILD WELFARE SERVICES (CWS) - POS	3,4		3.9	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0		7.0	0.0
TEEN PREGNANCY & FAMILY STRENGTHENING SERVICES	3,4		8.7	0.0		10.9	0.0		14.6	2.9		16.0	2.9		16.0	2.9		16.0	2.9		16.0	2.9
CHILD CARE BENEFITS	1,2		0.0	10.3		0.0	10.4		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0		0.0	10.0
MOE FROM MEDQUEST - CFA	1		0.0	24.0		0.0	18.7		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0		0.0	24.0
MOE FROM OTHER AGENCIES (VOLUNTEER HOURS, ETC)	1		0.0	18.0		0.0	18.6		0.0	43.4		0.0	43.4		0.0	43.4		0.0	43.4		0.0	43.4
ENDING BALANCE		83.6	35.8	(19.3)	75.3	36.5	(20.1)	66.8	0.8	(68.1)	42.6	6.3	(88.1)	23.9	6.3	(88.1)	5.2	6.3	(88.1)	(13.4)	6.3	(88.1)
PROJECTED EXPENDITURES		35.2	63.1	90.5	44.1	62.4	91.3	45.0	98.1	139.3	25.0	92.6	159.3	25.0	92.6	159.3	25.0	92.6	159.3	25.0	92.6	159.3
TOTAL PROJECTED TANF EXPENDITURES			98.3			106.5			143.1			117.6			117.6			117.6			117.6	

TANF PURPOSES:

1 - Provide assistance to needy families.
2 - End the dependence of needy parents by promoting job preparation, work, and marriage.
3 - Prevent and reduce out-of-wedlock pregnancies.
4 - Encourage the formation and maintenance of two-parent families.

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6. **Information and Technology contracts are allocated at full contract price and, if not fully expended, will lapse unused amounts to the TANF Reserve.**

The only time that DHS has reliable figures for the actual amount in the TANF Reserve is at the end of December following the close of the Federal fiscal year.

Last Updated: 04/7/2008 2:40 PM
Print Date: 4/7/2008 5:49 PM

F:/Detailed Financial Plan (SFY) - FY 08 Legislature

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2500, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," passed Final Reading by a vote of 48 ayes, with Representatives Marumoto, McKelvey and Nakasone being excused.

At 12:11 o'clock p.m., the Chair noted that H.B. No. 2500, HD 1, SD 1, CD 1, passed Final Reading.

At 12:11 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:14 o'clock p.m. with Vice Speaker Chong presiding.

At this time, the Chair recognized the Clerk who announced:

"I have been informed by a representative of the President of the Senate that the Conference Committee Report for H.B. No. 2500, HD 1, SD 1, CD 1, was adopted, and said H.B. No. 2500, HD 1, SD 1, CD 1, Relating to the State Budget, passed Final Reading in the Senate at 11:15 a.m. on this day.

"In addition, I have been informed by the Assistant Clerk of the House that at 12:14 p.m. on this day, H.B. No. 2500, HD 1, SD 1, CD 1, has been duly transmitted by the Legislature to the Governor, pursuant to Article VII, Section 9, of the Hawaii State Constitution."

The Chair then announced:

"Members, at this time the Chair will be taking Conference Committee Report No. 43-08 out of order."

CONSENT CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 43-08 and S.B. No. 2363, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee and S.B. No. 2363, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT," were recommitted to the Committee on Conference, with Representatives Berg and Nakasone being excused.

The Chair then announced:

"Members, there will be no discussion as these items are agreed to by this body, for placement on the Consent Calendar."

At 1:16 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:17 o'clock p.m.

Conf. Com. Rep. No. 13-08 and S.B. No. 2838, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2838, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 15-08 and S.B. No. 2054, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2054, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 17-08 and S.B. No. 3087, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3087, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker, I stand in support.

"Earlier this year, an incident took place in Downtown Honolulu where prevailing wage law at a construction site was placed into question. This bill helps to address these types of situations and is supported by the Department of Labor and Industrial Relations. I believe the penalties are just, as violations are handled swiftly with the message being loud and clear. Pay your workers according to the law or a heavy price of financial penalties and future job opportunities will be jeopardized. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3087, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTOR SUSPENSION ON PUBLIC WORKS PROJECTS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 18-08 and S.B. No. 1035, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1035, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MAKAHIKI DAY COMMEMORATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 21-08 and S.B. No. 1337, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1337, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTEMPT OF COURT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 22-08 and S.B. No. 1961, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1961, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BAIL," passed Final

Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 25-08 and S.B. No. 1891, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1891, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 27-08 and S.B. No. 2456, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2456, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu submitted remarks in support of the measure as follows:

"I rise in support.

"Since the 2005 Legislative Session, I have been working to create a new law to discourage impersonation. The reasoning is that people are being harassed by individuals impersonating them, especially on the Internet. It has already happened to a friend of mine. The act of harassing by impersonation can cause irreparable damage by ruining one's reputation, placing one in fear of one's safety, and inflicting emotional distress.

"Senate Bill 2456 is the companion to my House Bill 2319, which proposed to add computer communication as a form of nonconsensual contact in the offense of harassment by stalking. However, Senate Bill 2456, Senate Draft 2, House Draft 1 was amended by the House Judiciary Committee to include the policy goal of discouraging impersonation, which is from another bill of mine, House Bill 2320.

"This measure would create a new section in the Hawai'i Revised Statutes to include "harassment by impersonation." Under this definition, "A person commits the offense of harassment by impersonation if that person poses as another person, without the express authorization of that person, and makes or causes to be made, either directly or indirectly, a transmission of any personal information of the person to another by any oral statement, any written statement, or any statement conveyed by any electronic means, with the intent to harass, annoy, or alarm any person." Harassment by impersonation would be a misdemeanor.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2456, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARASSMENT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 28-08 and S.B. No. 2449, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2449, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 29-08 and S.B. No. 3051, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3051, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I stand in support.

"This measure is a common sense approach to ensuring the safety and welfare of those most vulnerable. We need to make sure that those seeking help out of a dangerous situation are not being taken advantaged of by individuals who may be a 'wolf in sheep's clothing'. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3051, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY BACKGROUND CHECKS FOR SOCIAL SERVICES PROGRAMS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 31-08 and S.B. No. 2080, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2080, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHER LICENSURE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 32-08 and S.B. No. 2785, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2785, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DISTRICT COURT JURISDICTION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 36-08 and S.B. No. 1802, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1802, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 37-08 and S.B. No. 2396, SD 1, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2396, SD 1, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MENTAL HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 38-08 and S.B. No. 2212, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2212, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 39-08 and S.B. No. 2867, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2867, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC PROCUREMENT CODE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 40-08 and S.B. No. 3001, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3001, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY EFFICIENCY," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 42-08 and S.B. No. 1487, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1487, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTROLLED SUBSTANCES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 44-08 and S.B. No. 2157, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2157, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Lee submitted remarks in support of the measure as follows:

"Mr. Speaker, I rise in support of this measure Relating to Health – Controlled Substances and Pain Patient's Bill of Rights.

"The purpose of this bill is to ensure treatment for patients living with pain from a disease, chronic condition or terminal illness. The Patient's Bill of Rights has been amended to clarify that pain patients have a right to obtain a prescription for controlled substances to relieve pain. This bill will help to provide relief to pain patients so that they can lead normal lives to the greatest extent possible, by providing them with access to prescription medication.

Specifically, this bill will:

(1) Clarify the provisions for prescribing opiate medication for pain treatment; and

(2) Extend the length of time for a schedule II controlled substance prescription to be filled from three to seven days after the prescription is issued to the patient.

"An extension of the prescription medication will assist patients who may not have the means to visit a pharmacy within three days of their prescription date.

"This measure also provides that patients suffering severe acute or chronic pain shall be entitled to receive a prescription of opiate medication, if requested by the patient; providing the patient is not addicted to the opiate and the opiate is appropriate for treatment.

"I strongly support passage of this bill because it will improve the quality of life for patients who are suffering with their illness. I believe that being comfortable and managing pain is of utmost importance to all of us who will someday find ourselves facing the end of our own lives.

"I urge the Members to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2157, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 48-08 and S.B. No. 2827, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2827, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC CONTRACTS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 56-08 and H.B. No. 3126, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3126, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I stand in support.

"Our agriculture industry in Hawaii is in desperate need of support. This bill rises to the occasion of helping farmers on Hawaiian Homelands by increasing the ceiling from $50,000 to $200,000. I hope this measure will encourage this sector of the agriculture industry to take advantage of this initiative as the results will not only help lessees, but our State in moving closer to a sustainable Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3126, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAIIAN HOMES COMMISSION ACT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 59-08 and H.B. No. 2953, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2953, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 61-08 and H.B. No. 1356, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1356, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I rise in support.

"With this measure, former foster youth will no longer be left to fend for themselves at the age of 18. Now that the age limits have increased, support will be available up until the age of 26. Former foster youth who did not have this support provided testimony in strong support during our House Finance Committee hearings. Many want to continue on to higher education, but are limited because of a lack of a family structure, of which many young adults depend, and a lack of financial resources. This is a good bill, Mr. Speaker. This bill makes sure that youth who may not have the means to fulfill their dreams of a college degree will not get left behind. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1356, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 63-08 and H.B. No. 523, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 523, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 64-08 and H.B. No. 2139, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2139, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I stand in support.

"This bill will give the gift of life for many who patiently wait on a long waiting list. In most cases, this gift comes under unfortunate circumstances. Last year, a young man from the mainland was killed in my district. It was an extremely sad event. However, the family of this young man donated their son's organs so that others may be able to live or live a better life. I commend those individuals who have decided to take this step of becoming an organ donor and I commend those family members who are left without a loved one, yet realize that those who were lost will live on through such donations. Thank you, Mr. Speaker."

Representative Magaoay submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of HB 2139, HD2, SD1, CD1. Mr. Speaker, every hour another person dies waiting for an organ transplant. Despite significant technological improvements and numerous publicity campaigns over the past several decades, the substantial shortage for organs, tissues and eyes for life-saving or life-improving transplants continues. This shortage persists despite efforts by the federal government and every state legislature to improve the system. The Uniform Law Commission (ULC) continues to be a leader in developing the law in the organ transplant arena, and it has promulgated the Uniform Anatomical Gift Act (UAGA) in 2006.

"The original Uniform Anatomical Gift Act was promulgated in 1968, shortly after Dr. Christian Barnard's successful transplant of a heart in November 1967. It was promptly and uniformly enacted in every jurisdiction. The 1968 UAGA created the power, not yet recognized at common law, to donate organs, eyes and tissue, in an immediate gift to a known donee or to any donee that might need an organ to survive. In 1987, the Uniform Law Commission revised the 1968 UAGA to address changes in circumstances and in practice. Only 26 states enacted the 1987 UAGA, resulting in non-uniformity between those states and the states that retained the 1968 version. Subsequent changes in each state over the years have resulted in even less uniformity. In addition, neither the 1968 nor the 1987 UAGA recognizes the system of organ procurement that has developed partly under federal law. The 2006 UAGA is an effort to resolve any perceived inconsistencies thereby adding to the efficiency of the current system.

"The scope of the 2006 UAGA is limited to donations from deceased donors as a result of gifts made before or after their deaths. Organ donation is purely a voluntary decision that must be clearly conveyed before an individual's organs are available for transplant. The current mechanism for donating organs is a document of gift that an individual executes before death. The 2006 Act further simplifies the document of gift and accommodates the forms commonly found on the backs of driver's licenses in the United States. It also strengthens the power of an individual not to donate his or her parts by permitting the individual to sign a refusal that also bars others from making a gift of the individual's parts after the individual's death.

"Importantly, the 2006 UAGA strengthens prior language barring others from attempting to override an individual's decision to make or refuse to make an anatomical gift. If an individual does not prepare a document of gift, organs may still be donated by those close to the individual. Another achievement of the 2006 UAGA is that it allows certain individuals to make an anatomical gift for another individual during that individual's lifetime. Healthcare agents under a healthcare power of attorney and, under certain circumstances, parents or a guardian, have this power. The donor must be incapacitated and the permission giver has to be the individual in charge of making healthcare decisions during the donor's life.

"Second, the 2006 UAGA adds several new classes of persons to the list of those who may make an anatomical gift for another individual after that individual's death. The adoption of clear rules and procedures, combined with the definition of "reasonably available," provide clarity to the decision-making process. If more than one member of a class is reasonably available, the donation is made only if a majority of members support the donation. Minors, if eligible under other law to apply for a driver's license, are empowered to be a donor. These seemingly minor changes will provide more opportunities for donation than currently exist today.

"The 2006 UAGA encourages and establishes standards for donor registries and better enables procurement organizations to gain access to documents of gifts in donor registries, medical records, and records of a state motor vehicle department. This access will make it much easier for procurement organizations to quickly determine whether an individual is a donor. And, under Section 8 of the 2006 UAGA, which strengthens the language regarding the finality of a donor's anatomical gift, there is no reason to seek consent from the donor's family because the family has no legal right to revoke the gift. The practice of procurement organizations seeking affirmation even when the donor has clearly

made a gift results in unnecessary delays in procuring organs and the occasional reversal of the donor's wishes. One exception is if the donor is a minor and the parents wish to revoke the gift. The 2006 UAGA acknowledges that the decision to donate organs, tissues and eyes is highly personal and deserves respect from the law.

"The tension between a healthcare directive requesting the withholding or withdrawal of life support systems and a donor's wish to make an anatomical gift is resolved by permitting, prior to the removal of life-support systems, the administration of measures necessary to ensure the medical suitability of the donor's organs. The 2006 UAGA provides that a general direction in a power of attorney or healthcare directive that the patient does not wish to have life prolonged by the administration of life-support systems should not be construed as a refusal to donate. The 2006 UAGA provides numerous default rules for interpreting a document of gift if it lacks specificity regarding the persons to receive the gift or the purposes of the gift. One important rule, not present in the prior acts, is the prioritization of transplantation or therapy over research or education, when a document of gift sets forth all four purposes, but fails to establish a priority.

"Another improvement that the 2006 UAGA achieves is the clarification and expansion of rules relating to cooperation and coordination between procurement organizations on the one hand and coroners and medical examiners on the other. Unlike prior law, the 2006 UAGA prohibits coroners and medical examiners from making anatomical gifts except in the rare instance when the coroner or medical examiner is the person with the authority to dispose of the decedent's body. The 2006 UAGA complies with the policy guidelines articulated by the National Association of Medical Examiners it also addresses widely reported abuses involving the intentional falsification of a document of a gift or refusal, to obtain a financial gain by selling a decedent's parts to a research institution. A person who falsifies a document of a gift for such a purpose is guilty of a felony.

"Mr. Speaker, the anatomical gift law of the states is no longer uniform, and diversity of law is an impediment to transplantation. Harmonious law through every state's enactment of the 2006 Uniform Anatomical Gift Act will help save and improve lives. It should be enacted in every state as quickly as possible. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2139, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANATOMICAL GIFTS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 65-08 and H.B. No. 2255, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2255, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LIFE INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 67-08 and H.B. No. 2245, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2245, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted remarks in support of the measure as follows:

"Thank you, Mr. Speaker. I rise in support of HB 2245, HD1, SD2, CD1. Mr. Speaker, this bill amends section 304A-2251 of the Hawaii Revised Statutes by reinstating language authorizing the transfer of all University funds, with the exception of general funds, into the University of Hawaii Commercial Enterprise Revolving Fund to finance the establishment of new enterprises. Act 75, Session Laws of Hawaii, 2006, approved May 2, 2006, authorizes the use of all University funds, except general funds, to be used to finance the establishment of new enterprises. This provision sunsets in 2004 and has limited the University's ability to take advantage of opportunities to establish or participate in commercial activities. Revenues derived from commercial enterprises are used for the general benefit of the University of Hawaii. An example of a successful commercial enterprise is the Rainbowtique outlet at Victoria Ward Center.

"Mr. Speaker, passage of this bill would give the University the ability to reduce its reliance on State funding sources. Passage of this measure will allow the University to provide start-up funding for new commercial enterprises with the goal of generating additional revenue for the common benefit of the University. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2245, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 68-08 and H.B. No. 1365, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1365, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE OF HAWAII DEFERRED COMPENSATION PLANS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 69-08 and H.B. No. 660, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 660, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JURISDICTION OF THE CIRCUIT COURTS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 70-08 and H.B. No. 2697, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2697, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 73-08 and H.B. No. 2550, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2550, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC UTILITIES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 77-08 and H.B. No. 2920, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2920, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FRAUD PREVENTION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 78-08 and H.B. No. 1153, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 1153, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRECURSORS TO THE MANUFACTURE OF CONTROLLED SUBSTANCES," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Bertram voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 81-08 and H.B. No. 3383, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3383, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII PENAL CODE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 83-08 and H.B. No. 2977, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2977, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 88-08 and H.B. No. 2772, HD 3, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2772, HD 3, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana submitted remarks in support of the measure as follows:

"Mr. Speaker, I stand in support.

"Human trafficking continues to be a major problem in the United States. Although we have seen a few cases in Hawaii, this measure helps to address this issue before it becomes out of control. In hopes that this measure passes, I look forward to the report by the Hawaii anti-trafficking taskforce. Thank you, Mr. Speaker."

Representative Lee submitted remarks in support of the measure as follows:

"Mr. Speaker, I rise in support of this measure.

"In 2006, the Legislature established the Hawaii Anti-Trafficking Task force to investigate ways to combat human trafficking, to prepare a social service needs assessment of human trafficking victims, to collect data, to draft legislation to reduce human trafficking and to look at the social service needs of human trafficking victims.

"The Task Force has promoted a positive and productive effort by the diverse interests concerned about this issue in resolving the personal and social devastation created by this insidious offense. Although the Task Force has made significant progress towards achieving its legislative mandate, the sunset date for the Task Force should be extended to allow the Task Force to further address this complicated issue.

"The Task Force plays a vitally important role in addressing human trafficking, a serious and escalating crime that tramples on human rights in Hawaii and throughout the world. It is becoming more apparent each day that this is a global issue. It is vital that we recognize the need for Hawaii to be in the forefront of combating human trafficking in all its forms.

"Passage of this bill allows the Task Force to continue its work and modifies its membership to include new members who will provide valuable assistance in the critical task of crafting legislation that is necessary to further address the needs of the victims of human trafficking.

"I urge my colleague's support of this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2772, HD 3, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HUMAN TRAFFICKING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 91-08 and H.B. No. 2372, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2372, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TIME SHARE PLANS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 95-08 and H.B. No. 3331, HD 2, SD 2, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3331, HD 2, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 96-08 and H.B. No. 2519, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2519, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of HB 2519, HD2, SD2, CD1. Mr. Speaker, the measure we have before us addresses a program that encourages physicians and dentists to practice in shortage areas. In recent weeks the media have featured a number of articles highlighting the complex and multi-faceted crisis that is plaguing Hawaii's healthcare system. Payments for healthcare from Medicare, Medicaid, and private insurance are too low. Medical malpractice insurance premiums are too high. Some physicians have already left Hawaii to practice on the mainland where financial conditions are more viable. Kahuku Hospital was on the verge of bankruptcy a year ago and about to close its doors

before it was acquired by the Hawaii Health Systems Corporation (HHSC). Meanwhile, HHSC is requesting emergency funding during the current session in order to pay its suppliers. This bill addresses one aspect of Hawaii's healthcare crisis.

"Many rural areas of our State are especially impacted because of a dispersed population. Urban areas, with their population density, provide a much greater potential to attract patients. Physicians are especially affected because of the high cost of medical malpractice insurance. Dentists are also in short supply in many rural areas.

"Mr. Speaker, this measure creates an innovative program that encourages physicians and dentists to serve in medically underserved areas. It creates a loan forgiveness program for medical students that provide incentives to practice in medically underserved areas after graduation. The program also provides stipends to physicians and dentists who provide at least 50% of their services in shortage areas or at least 10% of their services to uninsured patients. Thank you Mr. Speaker, I strongly support the passage of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2519, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 97-08 and H.B. No. 2727, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2727, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay submitted written remarks in support of the measure as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of House Bill 2727, HD 2, SD 2, CD1. Mr. Speaker, autism is a complex neurobiological disorder that currently affects 1 in 150 children, according to the Center for Disease Control. This disorder affects boys four times more likely than girls. Autism impairs a person's ability to communicate and relate to others, and is often associated with repetitive behaviors, poor eye contact, and rigidity in routines. Children with autism often have co-occurring conditions, such as behavioral problems, speech disorders, depression, anxiety, muscle or joint problems, ear infections, vision and hearing problems, and allergies. The wide range of co-occurring problems leads to their need for services from trained medical professionals and for a full-range of therapies. The therapies include speech therapy, occupational therapy, and intensive behavioral therapy, such as Applies Behavior Analysis, among others. With proper medical intervention and intensive therapies, children with autism can improve to such an extent that they can enter mainstream classrooms unassisted.

"Unfortunately Mr. Speaker, children with autism are often denied coverage for necessary therapies by private health insurance companies. One important therapy denied by insurers is Applies Behavior Analysis (ABA). ABA has a decade-long period of efficacy. It is a data-based intervention for autism that has over forty years of research behind it. In a 1987 study by Ivar Lovass, the children who underwent early intensive ABA therapy achieved higher educational placement and increased IQ levels than those who did not. ABA is recognized by The U.S. Surgeon General's 2001 Report on Mental Health as the treatment that is widely accepted as being effective for autism, and the National Institute of Child Health and Human Development acknowledges that ABA is an effective treatment for autism. Although ABA is the single intervention most often sought by parents of children with autism, insurers frequently deny it as a benefit. As a result, families are often forced to pay for these costly services out of pocket.

"Too many families of children with autism are deeply in debt as a result of the lack of insurance coverage for these necessary therapies. However, the cost of paying for the therapies, out of pocket, not only causes financial strain for the families, but it also causes heavy emotional distress. For many of these families, the stress is more than they can bear and many of the marriages end in divorce.

"Mr. Speaker, we cannot put a price tag on a child's future, but if more therapies and treatments were covered by insurance companies, more autistic children in Hawaii would be improving at much faster rates. Mr. Speaker, I urge everyone in this Chamber to pass this measure because the children with autism in Hawaii deserve to have the opportunity to thrive. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2727, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 98-08 and H.B. No. 3175, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3175, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL MARINE FISHING REPORTS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 100-08 and H.B. No. 3174, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3174, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL FISHERIES REGULATIONS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 102-08 and S.B. No. 2840, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2840, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SELF-SUFFICIENCY," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 105-08 and S.B. No. 2055, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2055, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY COURT," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 106-08 and S.B. No. 3227, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3227, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Manahan submitted remarks in opposition to the measure as follows:

"There is no doubt that the modernization of our harbors needs to be a priority, and I support this. However I must oppose SB 3227 CD1 in its current form for the following reasons:

"It's been well documented, in a 1987 State audit of Aloha Tower Development Corporation (ATDC) and in news articles, that ATDC has not been effective in accomplishing its mission to revitalize the downtown waterfront area. In its twenty-seven year history, ATDC has only entered into three development agreements, all of which have culminated in lawsuits that have, at best, stalled development plans for the area.

"To quote the 1987 auditor's report: "The Aloha Tower redevelopment project is a concept that is flawed, and it should be shelved." It cites numerous systemic problems and erroneous assumptions.

"Part of the difficulty, according to the March 9, 2008 *Honolulu Advertiser*, and I quote, "…is rooted in ATDC's seven-member board representing the Mayor and heads of the state Department of Transportation, state Board of Land and Natural Resources, and the state Department of Business Economic Development and Tourism. Three private-sector members also serve on the board." In this bill, the ATDC Board's composition remains unchanged.

"In addition, this proposal adds a second entity, the harbors modernization group, within DOT. As it is ATDC is already $7.7 million dollars in debt to the DOT for past failed negotiations. How would the structure created by this legislation make things any better?

"More importantly, in order for any decision to be made with regards to validating any planning, design, and/or construction, a quorum of both entities are needed. For the seven-member ATDC Board, four members constitute a quorum. For the six-member harbor modernization group, also four of the six members shall constitute a quorum. This is an even number of voting members. Should there be an impasse, whose vote would be the deciding factor? Assuming it is the chairperson of both Boards, which is also a provision in SB 3227 CD1, this would give said person access and the authority to control a sub-account within the DOT for this project, containing $850 million of tax payer money. That's way too much power for one person to have in my opinion.

"Even with a majority of the quorum's vote, given the composition of this 'super board' whose majority overwhelmingly represents Oahu, there are no assurances that the Neighbor Islands' needs would be properly addressed.

"The ATDC Board, as a single entity, struggled with Aloha Tower. Why would two boards with a single chairperson change that? I would also add that ATDC reports no loss in revenues despite the fact that they are in debt, not to mention facing litigation of untold amounts. In fact, at this very moment, ATDC only exists for these lawsuits—they have no projects.

"There is no doubt that harbors modernization should be a priority of the State. However, given a pending audit of ATDC, I would rather wait for the recommendations set forth by the State auditor and incorporate those into legislation that would properly address the issue of harbor modernization."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3227, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HARBORS," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Manahan and Takai voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 108-08 and S.B. No. 2293, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2293, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 109-08 and S.B. No. 2961, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2961, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 111-08 and S.B. No. 2668, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2668, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 113-08 and S.B. No. 3076, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3076, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Cabanilla submitted remarks in opposition to the measure as follows:

"I rise in opposition to Senate Bill 3076. The State of Hawaii has the second largest government per capita in the entire nation. It is my belief that adding eight more epidemiologist positions would be a greater tax burden to our citizens. The Department just needs to be more efficient with their current resources. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3076, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EPIDEMIOLOGISTS," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Cabanilla voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 118-08 and S.B. No. 3102, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3102, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LAND CONSERVATION FUND," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 121-08 and S.B. No. 2004, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2004, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 128-08 and H.B. No. 94, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 94, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 131-08 and H.B. No. 3386, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3386, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ATTORNEYS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 133-08 and H.B. No. 2763, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2763, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CHILDREN OF INCARCERATED PARENTS TASK FORCE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 134-08 and H.B. No. 2781, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2781, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SMALL BUSINESS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 136-08 and H.B. No. 2700, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2700, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 137-08 and H.B. No. 118, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 118, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE BONDS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 151-08 and S.B. No. 2803, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2803, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu submitted remarks in support of the measure as follows:

"I rise in support.

"The purpose of this bill is to protect the personal information collected and maintained by State and county agencies through the implementation of the recommendations of the "Hawaii Identity Theft Task Force Report" of December 2007. I served on the taskforce, and through this bill we hope to reduce identity theft of personal information held by the State and county agencies. The bill:

(1) Requires each state and county agency designate an employee by September 1, 2009, to ensure the agency's compliance with requirements relating to the security of personal information;

(2) Establishes the Information and Privacy Security Council to be placed administratively within the Department of Accounting and General Services and authorizes the Comptroller to establish support positions. By January 1, 2009, the council shall submit to the Legislature a report of the council's assessment and recommendations on initiatives to mitigate the negative impacts of identity theft incidents on individuals. No later than June 30, 2009, the council shall develop guidelines to be considered by government agencies in deciding whether, how, and when a government agency shall inform affected individuals of the loss, disclosure, or security breach of personal information that can contribute to identify theft. The council shall review the individual annual reports submitted by government agencies, pursuant to section 487N-C, Hawaii Revised Statutes and submit a summary report to the Legislature no later than twenty days prior to the convening of the regular session of 2010 and each year thereafter. The summary report shall include the council's findings, significant trends, and recommendations to protect personal information used by government agencies. The initial report to the Legislature also shall include proposed legislation to amend section 487N-2, Hawaii revised Statutes or any other law that the council deems necessary to conform to the guidelines established. No later than March 31, 2009, the council shall identify best practice relating to automated tools, training, processes, and applicable standards. No later than July 31, 2009, the best practice identified by the council shall be posted on each government agency's website in a manner that is readily accessible by employees of the government agency;

(3) Makes effective January 1, 2009, any government agency that maintains one or more personal information systems shall submit to the council an annual report on the existence and character of each personal information system added or eliminated since the agency's previous annual report. The annual report shall be submitted no later than September 30 of each year;

(4) Requires that by December 31, 2008, the information privacy and security council established under section 487N-A, Hawaii Revised Statutes, in consultation with the information and communication services division of the

Department of Accounting and General Services, and the information technology divisions of the respective counties, shall develop recommended practices and procedures to provide guidance to information technology managers in all government agencies relating to the security of laptops, removable data storage devices, and communication devices used to remotely access applications installed on state or county networks. The council shall include recommendations on best practices and standards for protecting personal information that may be used with, stored on, or transmitted by the foregoing devices;

(5) Makes effective September 1, 2008, any government agency that contracts with third parties to provide support services on behalf of the agency that requires access to personal information; or is requested to provide access to social security numbers and other personal information by a credit bureau or similar financial reporting organization, shall include, in all new or renewed contracts, provisions to protect the use and disclosure of personal information administered by the agency;

(6) Mandates that no later than September 1, 2008, all government agencies that collect, maintain, or disseminate documents containing personal information that are subject to disclosure pursuant to section 92F-12, Hawaii Revised Statutes, shall develop and implement a plan to protect and redact personal information, specifically social security numbers, contained in any existing hardcopy documents prior to making the documents available for public inspection. Consumer reporting agencies, as defined by 15 U.S.C. section 1681a(f), which operate under 15 U.S.C. section 1681 et seq., shall continue to have access to personal information, including the nine digit social security numbers as the legislature finds that such access is necessary for criminal background checks, credit reporting for financial transactions and other similar purposes. Agency plans shall be consistent with these purposes;

(7) Requires that no later than December 1, 2008, all government agencies that collect, maintain, or disseminate documents containing personal information that are subject to disclosure pursuant to section 92F-12, Hawaii Revised Statutes, shall develop a written plan to eliminate the unnecessary collection and use of social security numbers;

(8) Establishes that no later than January 1, 2010, the lead state and county government agencies that have primary responsibility for human resource functions shall develop and distribute to the appropriate government agencies written guidelines detailing recommended practices to minimize unauthorized access to personal information and personal information systems relating to personnel recruitment, background checks, testing, employee retirement and health benefits, time reporting and payroll issues;

(9) Mandates that no later than September 1, 2009, all government agencies shall develop a written agency policy relating to notification of any security breach of personal information; and

(10) Establishes no later than July 1, 2008, within the office of the auditor, the identity theft task force working group, to provide continuity from the work of the identity theft task force, established pursuant to Act 65, Session Laws of Hawaii 2005, as amended by Act 140, Session Laws of Hawaii 2006; and assist in the transition and development of recommendations and best practices related to personal information. The working group shall include five members of the identity theft task force, the auditor, and the consultant retained by the auditor for the work of the identity theft task force. The identity theft task force working group shall cease to exist on June 30, 2009.

"Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2803, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PERSONAL INFORMATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 153-08 and S.B. No. 988, SD 2, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 988, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHOTOVOLTAIC ENERGY," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 154-08 and S.B. No. 2150, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2150, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROTECTION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 156-08 and S.B. No. 3255, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3255, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG TERM CARE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 157-08 and S.B. No. 69, SD 2, HD 3, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 69, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH CARE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 159-08 and S.B. No. 2542, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2542, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 160-08 and S.B. No. 2459, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2459, SD 2, HD 1, CD 1, entitled: "A

BILL FOR AN ACT RELATING TO REMOTE DISPENSING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 161-08 and S.B. No. 3069, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3069, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 162-08 and S.B. No. 3171, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3171, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARITABLE TRUSTS AND NONPROFIT ORGANIZATIONS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

At 1:19 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2838, SD 2, HD 1, CD 1
S.B. No. 2054, SD 2, HD 2, CD 1
S.B. No. 3087, SD 1, HD 1, CD 1
S.B. No. 1035, SD 1, HD 1, CD 1
S.B. No. 1337, HD 1, CD 1
S.B. No. 1961, SD 1, HD 1, CD 1
S.B. No. 1891, SD 1, HD 1, CD 1
S.B. No. 2456, SD 2, HD 1, CD 1
S.B. No. 2449, SD 2, HD 2, CD 1
S.B. No. 3051, SD 2, HD 1, CD 1
S.B. No. 2080, SD 2, HD 2, CD 1
S.B. No. 2785, SD 1, HD 1, CD 1
S.B. No. 1802, HD 1, CD 1
S.B. No. 2396, SD 1, HD 3, CD 1
S.B. No. 2212, SD 1, HD 2, CD 1
S.B. No. 2867, SD 2, HD 2, CD 1
S.B. No. 3001, SD 2, HD 2, CD 1
S.B. No. 1487, SD 2, HD 2, CD 1
S.B. No. 2157, SD 1, HD 2, CD 1
S.B. No. 2827, SD 1, HD 1, CD 1
H.B. No. 3126, SD 2, CD 1
H.B. No. 2953, SD 1, CD 1
H.B. No. 1356, HD 2, SD 2, CD 1
H.B. No. 523, HD 2, SD 1, CD 1
H.B. No. 2139, HD 2, SD 1, CD 1
H.B. No. 2255, HD 2, SD 2, CD 1
H.B. No. 2245, HD 1, SD 2, CD 1
H.B. No. 1365, SD 2, CD 1
H.B. No. 660, SD 1, CD 1
H.B. No. 2697, HD 1, SD 1, CD 1
H.B. No. 2550, HD 2, SD 2, CD 1
H.B. No. 2920, SD 1, CD 1
H.B. No. 1153, SD 1, CD 1
H.B. No. 3383, SD 1, CD 1
H.B. No. 2977, HD 1, SD 1, CD 1
H.B. No. 2772, HD 3, SD 1, CD 1
H.B. No. 2372, HD 2, SD 2, CD 1
H.B. No. 3331, HD 2, SD 2, CD 2
H.B. No. 2519, HD 2, SD 2, CD 1
H.B. No. 2727, HD 2, SD 1, CD 1
H.B. No. 3175, HD 1, SD 1, CD 1
H.B. No. 3174, HD 1, SD 1, CD 1
S.B. No. 2840, SD 2, HD 1, CD 1
S.B. No. 2055, SD 2, HD 2, CD 1
S.B. No. 3227, SD 2, HD 1, CD 1
S.B. No. 2293, SD 1, HD 1, CD 1
S.B. No. 2961, SD 2, HD 2, CD 1
S.B. No. 2668, SD 2, HD 1, CD 1
S.B. No. 3076, HD 1, CD 1
S.B. No. 3102, SD 2, HD 1, CD 1
S.B. No. 2004, SD 2, HD 2, CD 1
H.B. No. 94, HD 1, SD 2, CD 1
H.B. No. 3386, HD 1, SD 2, CD 1
H.B. No. 2763, HD 1, SD 1, CD 1
H.B. No. 2781, HD 2, SD 2, CD 1
H.B. No. 2700, HD 1, SD 2, CD 1
H.B. No. 118, SD 1, CD 1
S.B. No. 2803, SD 1, HD 1, CD 1
S.B. No. 988, SD 2, HD 3, CD 1
S.B. No. 2150, SD 2, HD 2, CD 1
S.B. No. 3255, SD 2, HD 2, CD 1
S.B. No. 69, SD 2, HD 3, CD 1
S.B. No. 2542, SD 2, HD 2, CD 1
S.B. No. 2459, SD 2, HD 1, CD 1
S.B. No. 3069, SD 2, HD 1, CD 1
S.B. No. 3171, SD 2, HD 2, CD 1

STANDING COMMITTEE REPORT

Representative M. Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1961-08) recommending that S.B. No. 2482, SD 2, pass Third Reading.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2482, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAI'I INSTITUTE OF MARINE BIOLOGY," passed Third Reading by a vote of 50 ayes, with Representative Nakasone being excused.

At 1:19 o'clock p.m., the Chair noted that S.B. No. 2482, SD 2, passed Third Reading.

THIRD READING

S.B. No. 788, SD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 788, SD 2, entitled: "A BILL FOR AN ACT RELATING TO DISASTER RELIEF," passed Third Reading by a vote of 50 ayes, with Representative Nakasone being excused.

At 1:19 o'clock p.m., the Chair noted that S.B. No. 788, SD 2, passed Third Reading.

At this time, the Chair stated:

"Members, please remember to let the Clerk know which House bills or Senate bills on the Consent Calendar you will be submitting comments on for the Journal. This must be done before the adjournment of today's Floor session."

ORDINARY CALENDAR

UNFINISHED BUSINESS

Conf. Com. Rep. No. 11-08 and S.B. No. 2434, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2434, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I will be voting in opposition. This changes the Stadium Authority Board and their appointing powers. I think this is a mean-spirited bill and it brings out the worst in political power plays. It is what disenchants residents from having trust in our government. Rather than spending our time crafting quality legislation that would benefit the State, we instead see worthy bills die as petty bills such as this one, move on.

"The bill strips the Governor of the right to appoint candidates into appointed positions. The Legislature already plays the role in deciding who gets appointed and it's called Senate confirmation. Taking away the Governor's ability to fully choose from a pool of any interested and all qualified applicants, and interjecting the Legislature in the process instead will create a legislative influence slew on State boards and commissions. This bill doesn't even try to hide the fact it is to take away power from the Governor. Just look at the proposed appointment cycle as established in this bill.

"As currently drafted, the Governor will not have an opportunity to appoint another candidate to the Aloha Stadium Authority until 2010, her last year in office. One house will select the first, third, and fifth member. The second house will pick the second, fourth, and sixth members. And the Governor will be able to appoint the seventh and eighth and ninth, but I doubt if it will get that far. This bill is politics at its worst and I simply cannot support it. It is the worst infusion of legislative interference that I have seen in my many years here at the Legislature, and I'm surprised that you want to be a part of it. I urge all of you to vote no."

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Marumoto be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2434, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM AUTHORITY," passed Final Reading by a vote of 43 ayes to 7 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine, Thielen and Ward voting no, with Representative Nakasone being excused.

Conf. Com. Rep. No. 12-08 and S.B. No. 3166, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 3166, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 14-08 and S.B. No. 2196, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2196, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. This is the bill that regulates commercially permitted use of the governmental and private boating facilities, and authorizes DLNR to regulate those commercial enterprises that operate out of private marinas.

"Currently the statute already authorizes DLNR to regulate commercial activities taking place in State waters which makes the revisions to the existing statute in this bill somewhat unnecessary. DLNR has established ten Ocean Recreation Management Areas around the State for the purpose of reducing user conflicts, both recreationally and commercially. This allows DLNR to regulate various activities on a case by case basis, and allows the Department the ability to amend Ocean Recreation Management Areas by Administrative Rule. Requiring DLNR to regulate commercial activities originating on private property will be very burdensome and difficult to enforce. DLNR will need another division to monitor all of its harbors, as well as private marinas, creating another layer of unneeded, tedious regulations. For these reasons, I'm opposing this measure. Thank you."

Representative Shimabukuro rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This measure is really needed. What we've seen on the Leeward Coast is that we have a lot of private harbors coming up like at Ko'Olina and Crosspointe, etc., and the boaters that are coming out of those harbors aren't following the gentlemen's agreement that has been enforced for years among the other commercial boaters that are there; the fishermen, the surfers, everyone. And that's the reason that we had the baseline study that we passed last Session, and we're still working on this year.

"So there really is hope that we can have a uniform set of agreements between all the ocean users to make sure that we eliminate the conflicts that are happening now between the people, the dolphin tours, the whale watchers, the fishermen, etc. So this bill is a step towards that. Thank you."

Representative Awana rose in support of the measure and asked that the remarks of Representative Shimabukuro be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just have some slight reservations. I understand the challenge and the solution that is needed by this bill for the Waianae Coast. My concern is just that we're asking DLNR to do quite a bit and there's no money in this bill. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2196, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL ACTIVITIES ON OCEAN WATERS," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 16-08 and S.B. No. 2730, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2730, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"This bill recognizes the importance of *hanai* families in the upbringing of children in Hawaii. Removing a child from the custody of a blood relative is a traumatic experience that can have long-lasting effects on the child. By allowing DHS to place children with a *hanai* relative, an adult other than a blood relative

who performs or has performed a substantial role in the upbringing of the child, the trauma can be greatly reduced.

"In addition, *hanai* relatives have a history with the family and can provide stability for the child. In the cases where the child must be, for whatever reason, separated from their blood relatives for a significant period of time, placing the child with a *hanai* relative will permit the child to maintain their familial connections in a safe and healthy environment.

"In the end, this bill strengthens the social and family safety net for children. It is often quoted that "it takes a village to raise a child." This bill demonstrates that Hawaii does not merely pay lip service to that ideal, but rather takes active steps to ensure that *hanai* relatives, the village the child belongs to, is given the opportunity to care for the child when the blood relatives are not able to."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2730, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD PROTECTION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 19-08 and S.B. No. 2849, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2849, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this measure. The intent of the bill is very good; it is to permit the use of lands in agricultural land districts for agricultural energy facilities when the production, storage and distribution of renewable energy are integrated with the agricultural activity.

"My concern and my opposition are on two points. One is I don't support our enhancing a biofuel industry here because I believe our agricultural land should be used for food. I think you'll see the impact internationally from other countries which have gone and jumped on to the biofuels craze, the mainland U.S. as well, and what the impact is on the food source. Possibly the empty shelves at Costco where rice has now been hoarded is one of the results of all of this disproportionate attention to biofuels.

"But the more troubling one is in section 3, paragraph 12, where new employee housing and agricultural buildings may be allowed on the land. My concern is if we are going to allow this housing, it could be a very slippery slope toward a housing development where the agricultural facility goes out of operation, such as like DelMonte did. Then you're left with the housing there and there's no limit on the specific number of houses that can be built. So I think there are two things in the bill that make me uncomfortable enough that I'm voting no. Thank you."

Representative Morita rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure. I would like to address some of the concerns and objections to this measure that were raised by the Representative from Kailua. First of all, some of the objections focused on the growing and processing of biofuels. The growing and processing of biofuels is an outright allowable use on agricultural lands. What this measure attempts to clarify is that a renewable project, such as a solar project, that is integrated within an agricultural enterprise shall be an allowable use.

"The purpose section of this measure states that increased energy efficiency and use of renewable energy resources would increase Hawaii's energy self-sufficiency, achieving broad societal benefits, including increased energy security, resistance to increases in oil prices, environmental sustainability, economic development, and job creation.

"To shape Hawaii's energy and agricultural future and achieve the goal of energy and food self-sufficiency for the State, our efforts must continue on all fronts, integrating new and evolving technologies, seizing upon opportunities to become more economically diversified, and providing incentives and assistance to address barriers. It is crucial to address the negative impacts that rising and volatile petroleum prices have on fuel and fertilizer costs.

"The other objection that was raised is biofuel crops will compete with food crops. While this might be the case in some parts of the nation, this surely is not the case in Hawaii where thousands of acres of agricultural lands lie fallow at the present time. How we plan for our agricultural bio-energy future is an important strategy that must be carefully planned, therefore the bio-energy master plan initiated by the Legislature last year is a critical component to this discussion. One of the objectives of the master plan is to ensure that energy crops will not be pitted against food production as both energy and food self-sufficiency are equally important goals for Hawaii's residents.

"Finally, Mr. Speaker, the Representative from Kailua also had concerns regarding the language which allows for workers' housing on agricultural lands. This measure allows existing structures on plantation community subdivisions to be used or rehabilitated for employee rental housing at affordable rates for agricultural workers and agricultural support buildings for agricultural business operators and support services. Mr. Speaker, this measure is very restrictive limiting this kind of development, which is intended to support agriculture, to the existing footprint of these types of structures on land currently or formerly owned, leased or operated by a sugar or pineapple plantation. I do not believe you will find the types of abuses we have seen with "gentlemen" farms allowable under the restrictive language of this bill."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, in support with very brief comments. Anyone who drives around any of our major islands will see that the vast majority of agricultural lands lie fallow after the closure of our plantations, whether they be sugar or pineapple. It's not growing anything, but developers are looking to grow houses on it. This is about trying to save our agricultural lands and do something productive with it. If the day comes where it's competing with food production, we can worry about that.

"As far as agricultural housing, anyone who lives on a Neighbor Island, maybe it's not a problem here, but go live on the Big Island and see how long it takes to get from one place to another. You want to live close to where you're working, and those in the fields. It's about helping those workers and not making them drive long distances and pay for gas that's going through the roof that we're trying to get ourselves from being dependent on. It's a good bill. I hope our Members will support it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2849, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Thielen voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 20-08 and S.B. No. 2895, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2895, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. I'd like to speak in opposition to SB 2895, SD 1, HD 1, CD 1, Relating to Offenses Against Public Order. Mr. Speaker, this is a bill to add to the cruelty to animals in the first degree measure that we passed last year. This is a Class C felony. What we did last Session Mr. Speaker, was to eschew those pet lovers; people who have those cute, cuddly, little furry things that are domesticated animals that are considered pets, to ensure that if something happens, such as a person intentionally or knowingly tortures their pet, or mutilates or poisons their pet, that this particular person would be put away for five years.

"I disagreed with the five years last Session, although the reasoning is good. I think the reasoning is good, that we should protect pet animals. However the method in which we are doing it, we're protecting them I think, by putting an artificial definition on them, and then literally working to expand it as we go along. That is the wrong thing to do. One man's pet is another man's protein, and that is clear. It really depends who you are, and where you are in the social or economic ladder.

"A pet is a pet. It doesn't matter what it is. It could be any animal whatsoever. In my case, I have a pet rabbit, Pufi and he's not protected. I wish we could see that by this method, we are protecting pet animals by labeling the pets and putting definitions on them. That is wrong. What this bill is doing Members, is expanding on this particular statute now to add animals other than pets by newly defining an equine animal. So equine animals are now the same as pets. I disagree. Well, I cannot fully disagree, but the method by which we're doing it is wrong.

"Here what's happening. Equine animals are defined now as any animal belonging to the family *Equidae*. I guess that's French, or Latin, including horses, ponies, mules, donkeys, and I wouldn't even attempt to read this 'A' word, burros and zebras. Now does anybody have a pet zebra other than the beautiful family in Kona, Hawaii? They have a white zebra there, it's amazing. A pet is a pet – fine. But we are expanding on what we intended to do, which is to protect pets. Pets are dogs, cats, those kind of things. We removed rats last time, but there could be an argument that rats are pets. Ask Michael Jackson. He said rats like Ben are his pet."

Representative Green rose to yield his time, and the Chair "so ordered."

Representative Sonson continued, stating:

"Thank you very much, Representative. So I think we need to reassess what we are doing. This bill right here makes a mockery of what we're trying to do which is to protect pets. Let's be clear about it. People who love their pets, and the reason why this Legislature should protect them, is because they treat these pets like brothers, sisters or little children, grandchildren. They really protect them as family, so I could see why people would support that, including mules, donkeys, asses, burros and zebras, which really complicate things. Therefore Mr. Speaker I urge you and Members of this body to rethink on what we're doing in protecting our pets, and let's see if we can do a better job at it. Please vote no on this measure. Thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I also vote in opposition on this bill and I'm looking at it in a different way. We as a group of people here in the State of Hawaii are very diverse. We call ourselves dual citizens. We welcome all the citizens of the world to come and impact and integrate in our State, and we're very proud it.

"But on the same token, we don't all think alike. We have different value systems as we come in and over time we all change culturally in the same way sooner or later. But there are new immigrants that come to our State. They might look at what we call pets, like the Representative from Waipahu said, as a source of protein. And I think knowing that, that we should not be so cruel to those people who think otherwise by imposing this harsh criminal punishment on them.

"So I'm in support of protecting our pets, but I'm in opposition to this, and we should treat everyone alike. And if they don't think like us, we shouldn't put them to jail. That's what I'm opposing, Mr. Speaker."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"The concern for the treatment of animals, including equine animals, is not new. As far back as 1822, the British Parliament passed a law known as "Dick Martin's Act - An Act to Prevent the Cruel and Improper Treatment of Cattle", with equine animals included in the definition of "cattle". At that time, horses were a means of transportation; they were necessary for farm work, and supported an agrarian society. Horses no longer serve that function, but are as much beloved by their owners as are cats and dogs—the mistreatment of which causes justifiable outrage in the community. The treatment of horses deserves no less concern. The addition of horses to the felony animal cruelty law reflects the belief that companion animals come in all shapes and sizes. And regardless of their breed, these animals hold a very special place in our hearts, our families and our community.

"One of the earliest proponents of animals rights, the 19th century philosopher, Jeremy Bentham, gave us food for thought when he argued that the ability to suffer, not the ability to reason, must be the benchmark of how we treat others beings, including animals. Bentham stated: "The question is not, can they reason? Nor, can they talk? But, can they suffer?"

"Passage of SB2895 will help to address needless suffering for equine animals. I urge my colleagues support."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2895, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENSES AGAINST PUBLIC ORDER," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Cabanilla and Sonson voting no, and with Representative Nakasone being excused.

At 1:35 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 1:36 o'clock p.m.

At 1:37 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2434, HD 1, CD 1
S.B. No. 3166, HD 1, CD 1
S.B. No. 2196, SD 2, HD 2, CD 1
S.B. No. 2730, SD 2, HD 2, CD 1
S.B. No. 2849, SD 1, HD 1, CD 1
S.B. No. 2895, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 23-08 and S.B. No. 2644, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2644, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to S.B. 2644, SD 1, HD 1, CD 1, Relating to the State Historic Preservation Officer. Mr. Speaker, the U.S. Department of Interior does not have any professional requirements for the State Historic Preservation Officer or the Deputy State Historic Preservation Officer. This bill seeks to require that the State Historic Preservation Officer and its deputy be qualified historic preservation professionals with experience in historic preservation in Hawaii.

"With respect to the State Historic Preservation Officer these additional professional qualifications are unnecessary and unrelated to the State Historic Preservation Officer's duties which consist of supervising federal partnerships. New additional professional qualifications are necessary because the State Preservation Officer has extensive experience in overseeing federal partnerships in their capacity as Chair of DLNR. It simply does not make sense to impose additional and specific specialized knowledge requirements for this position.

"With respect to the Deputy State Historic Preservation Officer, because the Deputy oversees the actual preservation functions of this State Historic Preservation Office, it makes sense for the Deputy to have qualifications and experience in historic preservation. Because the Deputy may directly affect the actual preservation of historic properties, it is justifiable for the Deputy to have specialized knowledge beyond what is required by the Department of the Interior.

"Doing this also narrows the pool of applicants Mr. Speaker, and for that it's already a hard and difficult position to fill. For those reasons, I oppose this bill. Thank you."

Representative Pine rose to speak in support of the measure with reservations, stating:

"I would like to note my strong reservations."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2644, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE HISTORIC PRESERVATION OFFICER," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Nakasone and Sagum being excused.

Conf. Com. Rep. No. 24-08 and S.B. No. 2345, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2345, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I do support this bill with reservations. It's Conference Report No. 24-08, which is SB 2345, SD 1, HD 1, CD 1. This is about the children of incarcerated parents and the guiding principles. This bill actually is better than the bill that was before that had basically a Bill of Rights. The difficulty that I find in this bill is that it is the whole Bill of Rights, and some of the points in the measure are based upon the feelings of a child. And being that I have kids, and I'm the parent of these kids, sometimes the feelings of the child and basing guiding principles is a little difficult to really put your finger on. But I will support the bill because it seems to be at this point in time, a less potential for lawsuits being that it's no longer the Bill of Rights. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2345, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDREN," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Conf. Com. Rep. No. 26-08 and S.B. No. 3061, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3061, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of Conference Report No. 26-08. This is the second time that TANF has come to the Floor, but this is the good side of TANF. It's updating the name from Aid to Dependent Children, to Temporary Assistance to Needy Families. And in respect to Speaker Emeritus earlier, I think he will agree that with this and the other consideration of TANF, there are really or should never be, Republicans or Democrats or liberals or conservatives, but those people that want to do what is right for those who are the weakest among us. In particular, Republicans want to see that our people have developed their fullest God-given potential, no more or no less, and this bill gets to the direction of updating that. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3061, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FIRST-TO-WORK PROGRAM," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Conf. Com. Rep. No. 30-08 and S.B. No. 2373, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2373, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in opposition to Senate Bill 2373, Conference Draft 1. According to the Conference Committee report, "[t]his bill will curtail the purchase of pseudophedrine products for the manufacturing of methamphetamines, and assist law enforcement in their efforts in verifying and tracking pseudoephedrine sales."

"While I appreciate the need to be "tough on crime," I believe this bill travels down a dangerous road of: (1) criminalizing

behavior that is not criminal; and (2) eroding the privacy interests of individual citizens.

"The mere purchase of pseudoephedrine products is not a criminal act. Clandestine drug labs and the manufacturing of methamphetamine are criminal activities that are reprehensible, especially when one looks at the damage caused throughout the community because of drug addiction.

"However, we already have laws that assist us as a community to force drug houses, drug dealers, and drug manufacturers out of our neighborhoods. In 2003, the Legislature, in its wisdom, created the Drug Nuisance Abatement Unit to force drug manufacturers out of communities. This is the kind of policy and program we need to support, not the monitoring of purchases by innocent citizens.

"Moreover, businesses are already required to place pseudoephedrine products behind counters and under lock. These businesses must also, under current law, ask customers for a photo ID, address, and signature to deter large sales of these products. With Senate Bill 2373, customers now will be required to provide their birth date in addition to a photo ID, name, and address, and all of this information will be electronically shared with government agencies. To mandate the turning over of this personal information to law enforcement seems to be an unnecessary government invasion into the privacy interests of citizens. In light of the reasons set forth above, I am opposed to this bill."

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support. Mr. Speaker, I stand in strong support of Conference Committee Report No. 30-08, Senate Bill 2373, SD 1, HD 1, CD 1. Mr. Speaker, in 2005 the Legislature enacted the Uniform Controlled Substances Act, which effectively limits the sale and purchase of non-prescription pseudoephedrine and pseudoephedrine-containing products. Pseudoephedrine is an ingredient of methamphetamine and can be dangerous when consumed in large doses. It is not only considered a precursor to turbulent methamphetamine use and subsequent addiction, but it is also used in the actual processing of the street drug itself.

"This body can attest to the devastating effects that meth has had on our families here in the State of Hawaii. Combating the production, sale and use of methamphetamine is a day-to-day battle. Fortunately we are winning the war. I applaud the Legislature for taking action by passing this crucial piece of Legislation. Since its inception, the Uniform Controlled Substances Act has aided in reducing the number of clandestine methamphetamine drug labs in the State from 17 in 2005, to merely 2 in 2007. The current law requires that all purchasers of pseudoephedrine show proper identification including addresses to be recorded into the pharmacy or retail stores log for further reference.

"In 2006 the Legislature approved Act 171 making it even more difficult for large quantities of methamphetamines to reach our streets. However the test of time has revealed a glitch in the current system. Senate Bill 2373 would effectively close a reporting loophole by further requiring pharmacies and retailers to maintain an electronic log of sales of pseudoephedrine and pseudoephedrine-related products, and transmit the information to the Department of Public Safety Narcotics Enforcement Division on a monthly basis. This would eliminate the purchasers from shopping around by purchasing the allotted amount at a different location in order to remain under the radar of drug enforcement. Accordingly, I stand in strong support of Senate Bill 2373, SD 1, HD 2, CD 1. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2373, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PSEUDOEPHEDRINE SALES," passed Final Reading by a vote of 48 ayes to 1 no, with Representative Belatti voting no, and with Representatives Nakasone and Sagum being excused.

Conf. Com. Rep. No. 33-08 and S.B. No. 3092, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3092, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support on this issue. The purpose of this measure is to prevent identity theft of individuals in the State by changing the requirement that a person's full social security number must appear on certain documents to be recorded. This measure prohibits judgments, orders and decrees that are recorded in the land court and at the Bureau of Conveyances from using full social security numbers, and instead requires the use of only the last four digits of the social security number to rightly identify the person against whom the judgment, order, or decree is rendered.

"This is a very good bill. This came out of the Identity Theft Task Force which I worked on for three years. However Mr. Speaker, I am disappointed that the acceptance of electronic filing or online filing with the registrar of the Bureau of Conveyances is not included in this measure. Allowing people to email documents to the Bureau for recordation eliminates scanning and data entry. This simple step would reduce the current four month recording process to less than one week. Mr. Speaker I strongly believe that we squandered the opportunity we had this Session to allow the people of this State to file electronically and online and have equal access to the Bureau of Conveyances; we should not have to wait for another year. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3092, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Conf. Com. Rep. No. 35-08 and S.B. No. 2833, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2833, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2833, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Final Reading by a vote of 49 ayes, with Representatives Nakasone and Sagum being excused.

Representative Thielen rose, stating;

"Mr. Speaker, I believe that we skipped over Relating to Taro, Conference Committee Report No. 34-08."

The Chair responded, stating:

"That was an exception that will be taken up on Thursday due to the Floor Amendment we had earlier."

At 1:47 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2644, SD 1, HD 1, CD 1
S.B. No. 2345, SD 1, HD 1, CD 1
S.B. No. 3061, HD 1, CD 1
S.B. No. 2373, SD 1, HD 2, CD 1
S.B. No. 3092, SD 1, HD 1, CD 1
S.B. No. 2833, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 41-08 and S.B. No. 2341, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2341, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 45-08 and S.B. No. 3203, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3203, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I would like a ruling on a potential conflict. I own five cats. Thank you," and the Chair ruled, "no conflict."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3203, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL HOARDING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 46-08 and S.B. No. 2825, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2825, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition of Conference Report No. 46-08. One problem that I have with this bill is in the wording which suggests that the State Procurement Office Administrator, who is only 1 of 20 Chief Procurement Officers in the State, is responsible for the making the final determination in all of the jurisdictions. This undermines the authority of the other Chief Procurement Officers, which also includes County Procurement Officers.

"Secondly, this bill will also exponentially increase the workload of the SPO Administrator by requiring him or her to ensure that each and every determination made by their office is in compliance within 30 days. If the other Procurement Officers are not in compliance, they will then be subjected to fines after the SPO Administrator provides them with reasonable notice and reasonable opportunity to be heard, consulting the using agency and Attorney General or Corporation Counsel as applicable, and render a written decision or issue a written order providing for the assessment of an administrative fine against the person who violated this law.

"And to add fuel to the fire, we are not providing the State Procurement Office with any additional personnel or funding to assist them in this increased and onerous workload. These are simply unrealistic expectations that don't serve any tangible purpose and would lead to a decrease in government efficiency. I therefore have to stand in opposition and urge my colleagues to join me. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Finnegan be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this same measure. This bill is one of four bills that were introduced by Senator Kim and pretty much on the heels of the Ted Liu saga, I guess. I believe that this bill will discourage dialogue that could improve applications of the Procurement Code. I also think this bill is anti-union, anti-HGEA. It will adversely impact civil servants. It mandates unnecessary and even unrealistic duties to the State Procurement Office Administrator and does not provide any funding or any increase in personnel.

"Mr. Speaker we need to keep in mind that the majority of these Procurement Officers who will be subjected to this statute are not appointed, but rather they are civil servants who belong to the HGEA. It would behoove us to ask ourselves, are these reasonable working conditions or are we opening ourselves up to a union grievance? Anti-union bills like this are not in the best interest of the people. Union challenges are almost always the result of unrealistic or unreasonable work situations like the one proposed in this bill. Yes, both human beings and the Procurement Code are not perfect, but sanctions like this are an unnecessary requirement that would only discourage the kind of dialogue that is needed so that we can improve the application of the Procurement Code. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"In support, but very briefly. I'd just like to counter some of the arguments that have been raised. First and foremost, looking at the testimony by the State Procurement Office, they support this bill because according to them, if they're going to get involved in a corrective action which again, by definition, means something was wrong in order for it to be corrected. I don't see why there should be a delay beyond 30 days with which the agency takes to correct the action, because what we're talking about here is the expenditure of taxpayer monies under the Procurement Code. If somebody has brought an issue forward that says, the agency violated the Procurement Code and they need to fix it, I don't see why we should have to wait longer than 30 days. If the agency refuses to do so, then they are in violation. They are not taking a corrective action. They're letting a wrong and incorrect action continue to go forward, and for that reason I think sanctions are appropriate. I don't think that there's any real attenuated, or speculative reason to even talk about union involvement or grievances, because the State Procurement Office said that they want and can do this. Thank you."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. In support, and may I adopt the words of the Floor Leader as my own. I would like to insert in the Journal that I'm very happy to hear that the previous, previous, previous speaker is in support of unions. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2825, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 44 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Thielen and Ward voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 49-08 and S.B. No. 2163, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2163, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I would like to make some comments on Conference Report No. 49-08. Mr. Speaker, I rise in opposition to this measure that reduces the duration of employment with an exception for unlicensed individuals hired prior to July 1, 2008 for a teacher, emergency hires, from four years to three years. I recognize the importance of better aligning our State laws with NCLB requirements of three years; however we must recognize that we have a teacher shortage and I believe that it says something about that in the bill.

"I feel that this bill will make this situation even worse. It may be too difficult for teachers to attain their license in three years, and our present laws regarding emergency hires have served us well. Instead of potentially making the teacher shortage worse, let's keep the law the way it is, and then conform our laws to NCLB standards once we finally handle the teacher vacancy situation. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2163, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 50-08 and S.B. No. 1793, SD 1, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 1793, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NATURAL ENERGY LABORATORY OF HAWAII AUTHORITY," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives Finnegan, Marumoto, Meyer and Thielen voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 54-08 and H.B. No. 2450, HD 1, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2450, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

At 1:57 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2341, SD 1, HD 1, CD 1
S.B. No. 3203, SD 1, HD 1, CD 1
S.B. No. 2825, SD 1, HD 2, CD 1
S.B. No. 2163, SD 1, HD 1, CD 1
S.B. No. 1793, SD 1, HD 1, CD 1
H.B. No. 2450, HD 1, SD 2, CD 1

Conf. Com. Rep. No. 55-08 and H.B. No. 2346, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2346, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in support of the measure with reservations, stating:

"I rise with reservations. I tried to basically do a legal check on this particular bill, but the exemption of the breastfeeding mother is pretty broad, so I'll stand with reservations for now. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2346, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERING THE WELFARE OF A MINOR," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Bertram voting no, and with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 57-08 and H.B. No. 931, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 931, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with some strong reservations. This is a bill that would allow these three-wheeled mopeds to operate on the highways if they stay in the bicycle lanes. I guess they go about 35 miles an hour, so there's a worry that they might impede traffic. But with their profile, with three wheels, they're wider than a bicycle, wider than a moped, and it seems like there's only one company that's making them or intends to be the dealer for them here.

"I'm reminded of a bill that we passed for the Segway. There was a lot of discussion and it took a couple of years before we did pass the bill. There was some concern that they might be dangerous on the sidewalk, which we're hearing about people in Waikiki complaining about them now. They're so silent. They creep up behind you, but they're moving a lot faster than you're walking, so it's kind of a dangerous mix. With this moped, I don't think there would be room in the bicycle lane for the three wheeler along with the bicycle.

"I think we should hold off on this for a little bit. We didn't see one. We heard testimony from a party that would benefit if we passed this bill and that's another concern that I have, that it's like a one party kind of a bill. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 931, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOPEDS," passed Final Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 58-08 and H.B. No. 2847, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2847, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this bill. This is relating to conditional license permits. Mr. Speaker, I ask that the Majority would recommit this bill. I think it's very, very inappropriate for us to proceed. Let me just read from the description: 'This will expand the conditions allowed for a conditional license permit,' and that's a conditional license permit for someone that's been convicted of driving under the influence of liquor. They have a DUI and their license has been suspended. So it's going to expand the conditional license permit and it opens it up so broadly, it means that the DUI person will be able to drive to school; or vocational training; for personal, medical or dental care; or, here's the really broad one, to assist in the care of another person who is unable to drive. This means that the person convicted of driving under the influence of liquor is going to be able to drive minors around because those are persons who are unable to drive. It is so broad that they no longer have a DUI law on the books.

"This is particularly inappropriate since we have had a very highly publicized arrest of a Hawaii Senator for allegedly driving under the influence of alcohol with his minor children in the car. So under this bill, if his license is revoked for a period of time, he'll be right back behind the wheel. I think it's an embarrassment. I think that this House of Representatives should not pass this bill, and I would hope others would join in with me in voting against it so we keep some integrity to the DUI law, and to tell people who drink, don't drive."

Representative Waters rose to speak in support of the measure, stating:

"In support, Mr. Speaker. Good law-abiding people sometimes make mistakes, and as a result should be punished. However this measure recognizes that these individuals should be allowed to remain productive members of society. Keep in mind this measure only applies to first time offenders who have a job or are going to school, or are getting job training, who need medical attention, or who are caregivers to the aged, sick or disabled.

"This measure does not apply to highly intoxicated drivers, nor to subsequent and habitual offenders. In fact what is required is an administrative hearing with a trained, experienced evaluator who makes an individual determination that the person does in fact have no alternative means of transportation and is gainfully employed or a student or caregiver for a vulnerable person. This is especially important for Neighbor Island residents who often have no public transportation to get to and from work, school or medical care.

"The ADLRO, the Administrative Driver's License Revocation Office still has the power to deny a request for a conditional permit and in fact, may order up to one year license suspension for a first offense. That's according to HRS 291E-41, subsection 1. That has not changed. Even people who qualify for a conditional permit are still subject to an absolute driver's license revocation at a minimum of 30 days, and up to one year at the discretion of the hearings officer. This measure does not diminish our position that DUI is not acceptable and should be taken very seriously.

"This measure preserves the penalties, and preserves the rights of hearings officers to impose the maximum penalty allowed by law. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Just a few words in rebuttal. That sounded so mild that it was like, okay someone's convicted of driving under the influence of alcohol and we just are going to be a little bit more gentle with them because they may need to go to school, they may need to drive for medical reasons, or dental care or treatment. But read the language specifically on page 3 of the bill that the DUI offender must drive to assist in the care of another person who's unable to drive. Given that person's age, they're your kids. You're putting them in your car with someone that's drinking and driving. That's a pretty bad message to send out to the public. Thank you."

Representative Waters rose to respond, stating:

"In rebuttal. The hearings officer has the discretion to grant it, or not grant it. The hearings officer for certain offenses can punish this person up to one year. That has not changed. But in certain circumstances where there is no alternative means of transportation, and perhaps your mother or father is on dialysis and has no other way to get this type of treatment, the hearings officer can grant a permit, to and from dialysis for example, and nothing else, at their discretion. So if the hearings officer says, 'No. Sorry,' then that's it. You don't get a permit. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Once again we're forgiving criminals and not letting them do the time for their crime. I stand in opposition. Perhaps that person that was under the influence should have thought about his parent that is on dialysis, because it just shows how every criminal's action does affect family members and until this Legislature takes a strong stance on actually punishing crime, people in society aren't going to get that message.

"The message that we're sending out is that if you're a criminal, we're going to take care of you. We're going to feel sorry for you. Instead of sending the message that you're going to kill somebody one day and it's going to be an innocent victim that you're going to kill because you're driving under the influence. It just takes one mistake, and I think we need to take a harder stance and say that driving under the influence is just simply wrong, and it's a danger to society."

Representative Ching rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In strong opposition and I ask that the words of the Representative of Ewa Beach be entered as my own, as well as the Representative from Kailua.

"With all due respect of the idea of dialysis, which I'm getting to know very well, the issue of dialysis very well, I don't think the argument follows logically because when you allow someone who has the propensity to drive drunk, to go on the road again you have that opportunity to make sure that there won't be a son or daughter to drive someone to dialysis.

"Drunk driving kills. I'll repeat it. Drunk driving kills. And anyone who has suffered a loss of a family member or a friend to drunk driving understands it very deeply, and there is no alternative once that person is gone. There are alternatives to making sure someone gets to dialysis. There's many alternatives. And I call on some of them on occasion. So to me the idea that they will allow the public to be at risk, knowing that this person has had a previous arrest, is really, I think, dangerous and I think that it's irresponsible on behalf of this House. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. Mr. Speaker, it's a privilege to drive, it's not a right. When this Legislature first passed legislation to allow for a conditional license permit, the bar was deliberately set high so conditional permits would only be given in severe cases. But this legislation waters down the reasoning and standards we set for the conditional permit process in the first place.

"We're sending mixed messages to the people of Hawaii. First we are saying, don't drink and drive or you will be punished. But with this bill we are saying, you will be punished if you drink and drive unless you must drive to go to school, or vocational training, or drive to get medical, or dental care for you or a person who is unable to drive. We have a problem with drunk driving on this island, on all our islands. I don't think this bill is coming at the appropriate time.

"The bill that we are going to look at on Thursday; the ignition interlock bill will give these people an opportunity to drive after they've been arrested for DUI, but they will be monitored. That's the way we want to go. This is just opening the door and just barely slapping somebody's hand. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Just short comments in opposition. Just a rebuttal to the case of especially in rural areas, that there are long distances and the need to get from one place to the other. I would also say that that would be the very reason why you wouldn't want to do something like this. It's the need to get to long distances or in rural areas in which a person actually decides to jump into a car and drive drunk because they have to get home, or because they live far away. And we've seen so many sad cases of Neighbor Island drunk driving and deaths and going from here to the Waianae Coast. It's just very sad to see those types of situations. So because of that, we should be very careful how we do these conditional permits. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2847, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDITIONAL LICENSE PERMITS," passed Final Reading by a vote of 37 ayes to 11 noes, with Representatives Awana, Ching, Finnegan, Green, Karamatsu, Lee, Marumoto, Meyer, Pine, Thielen and Ward voting no, and with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 60-08 and H.B. No. 3249, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3249, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I'm rising in support with very strong reservations. This is the bill that creates a new fine for people who park their cars and their wheel is in the bicycle path. They can be fined as much as $500.

"I just see this as becoming a real nightmare scenario in a lot of our residential neighborhoods. Many of them, and I'm thinking of Kailua where the past Mayor of Honolulu put in a lot of traffic calming devices, which already reduced parking. And then, if you were to park, try to find parking there, and then you happen to be a little bit over into the bicycle lane, then you could get up to a $500 fine. I'm just thinking of the mayhem that could arrive because of this.

"In Kailua they're fighting these vacation rentals. There's a lot of people with high tension over that. I know the people in Kailua that had all these calming devices. They were really upset. And now we get a new requirement and new fine because here you can't find parking and when you do, you get a $500 ticket because your wheel is in the bicycle lane. I think this could set up a situation where people would actually get really irritated with bike riders if they were the recipients of many of these $500 fines. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3249, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Cabanilla voting no, and with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 62-08 and H.B. No. 2661, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2661, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST INDUSTRIAL ENTERPRISES," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Marumoto voting no, and with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 66-08 and H.B. No. 2492, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2492, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cabanilla's written remarks are as follows:

"Mr. Speaker, I rise in strong support of HB2492. In a letter dated May 15, 2006 to the Governor from the Hawaii Legislative Action Committee affiliated with the Hawaii Chapter Community Associations Institute, the Governor was encouraged to veto SB2193 SD1 HD1 CD1 on the basis that, and I quote:

> "The proposed changes made by the Bill [SB2193] are directly contrary to the stated intent of the legislature and will harm members of planned community associations by impairing transparency and accountability of associations and their boards of directors."

"What the statement was referring to Mr. Speaker, was that SB2193, CD1, had deleted the language in statute that provided the membership of a Planned Community Association the right to know how each board of director voted on issues before the board. Taking away this privilege runs directly contrary to both stated intentions of the bill: transparency and accountability.

"Thus, I introduced in 2007, HB67, a measure to correct this flaw in SB2193 (ACT 312, SLH 2006) and reinstate the members' right to know how their board of directors are voting on expenditures.

"In 2007, Chair of the Committee on Consumer Protection and Commerce would not advance the measure and in 2008, entertained HB2492 that originally lacked the language to reinstate the voting records of directors to be examined and available to the membership upon request.

"I then lobbied the Vice Chair of the Committee on Consumer Protection and Commerce to consider inserting into the bill the very language I proposed in HB67.

"My constituency, of which some 2/5th resides in a Planned Community Association, are delighted that HB2492 now contains the provision to restore their right to know how their board voted. It is with this accomplishment, that I strongly support this measure and urge it be advanced for passage with the Governor."

At 2:20 o'clock p.m., Representative Waters requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:21 o'clock p.m.

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2492, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS," passed Final Reading by a vote of 48 ayes, with Representatives McKelvey, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 71-08 and H.B. No. 2730, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2730, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Berg rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to House Bill 2730, Relating to Legal Requirements for Neighborhood Board Meetings for several reasons. First of all it is a dangerous precedent to carve out exceptions to this law for specific agencies, and in this case the Neighborhood Boards. This law is aimed at opening up the processes of government to public view in participation as much as possible. And although the law is sometimes felt to be restrictive by those who operate under it, it has served the public very well, and exceptions should be rare.

"This bill, unfortunately, separates the process of deliberating from the final act of deciding. The Sunshine Law treats these as interchangeable because based on decades of experience, it is impossible to separate deliberations from decisions. Each person may make up their mind at a different point in the process, only later casting their final votes at the same time. HB 2730 invites attempts to subvert the Sunshine Law by allowing issues to be raised for discussion that are not on the official meeting agenda. This means that people interested in the subject will have no opportunity to know that that issue will be raised in a Neighborhood Board meeting. A developer for example could make a preemptive presentation of a controversial plan without potential opponents knowing what would happen. Although the Board could not make any decisions, minds could be made up during that presentation and at least tacit agreements reached without the full participation of all interested parties.

"The Office of Information Practices has warned of just this possibility in testimony on that measure. They stated: 'Although notice would be required before a decision was made, the Board members minds might be made up on the issue after the initial discussion. Under the current law, a member of the public can be confident that an issue of major significance will not be discussed at a Board meeting unless it is on the agenda first', the filed agenda. If HB 2730 passes, I believe that the public confidence will be violated. And so in my view, I think we still have a lot of work to do. I know the Neighborhood Boards are concerned about being transparent and having an open public process, and I believe this bill takes us in the wrong direction. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. In fact, I think this bill takes us in the right direction. It's common sense. It takes the handcuffs off the Neighborhood Boards and puts some common sense into them, in the sense that we're going to allow the people who have been elected, but who have no real authority, to be able to talk among themselves.

"Right now, if you get more than two or three Neighborhood Board people, they can't say anything to any media at any time about whatever the matter at hand is. Sure, it's not quorum, but these people can be normal, go to community events, talk among themselves, as long as they don't take a vote or premeditate they're going to take a vote. This is normal discourse of doing the business of the community at the grassroots level.

"Also if there is a really, really important issue brought before the community, this bill allows it to be put on the agenda. Right now it's so rigid, you could have a prediction that a hurricane is going to come and we want to alert the people, but you can't get the jurisdiction to alert the people because it's not on the agenda. It's ridiculous.

"So this mechanism is about time, and I think the Neighborhood Boards, contrary to the previous speaker, are going to be very happy about it and not sad, or cramped in Sunshine, which I think was a little bit overemphasized in what it's doing because it's actually allowing sunshine to come in, and sunshine is known as the best disinfectant. Thank you, Mr. Speaker."

Representative Berg rose to respond, stating:

"Thank you, Mr. Speaker. I'd like to just respond to the previous speaker's comments about the fact that if there was an earthquake or hurricane, we would have put it on the Neighborhood Board agenda, I don't think that we would have to do that, to decide what to do.

"There are two parts of this bill. And the part which is problematic for me is that it would allow a presentation to be made without being filed on the agenda. The other notion of, or other concept, or idea of being able to have Board members meet together is actually what we have been fighting for in East Honolulu, one that all four of our Neighborhood Boards to which I belong.

"So, on one hand I concur with the previous speaker, and on the other I wish that we would take a more deliberate look in searching because we are often accused of being secretive, and not being subject to the Sunshine Law for our own purposes. Thank you, Mr. Speaker."

Representative B. Oshiro rose to speak in support of the measure, stating:

"In support, very briefly. Most of the recommendations that are incorporated into this bill are based off of reports to the 24th Legislature dated 2006, and conducted by the College of Social Sciences Public Policy Center at the University of Hawaii at Manoa. So those are where the recommendations came from.

"We believe that we should pay attention when experts in a public policy discussion have made recommendations, and therefore we've incorporated them in this bill. Thank you."

Representative Manahan rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Manahan's written remarks are as follows:

"HB 2730 is curiously similar to HB 1512, which I introduced last year. For whatever reason, HB 1512 did not make it, but I am glad the idea introduced in my legislation moved forward as it makes sense and is absolutely necessary as it pertains to Neighborhood Board meetings.

"As a freshman legislator, I understand that the passage of legislation is a matter of egos. As the bigger person, I am willing to set mine aside, so my idea may live and the community and our State would benefit from such legislation even if someone else takes credit. Below is the language of HB 1512 for your reference, and I would like to thank all those who supported it:

"HB1512 Relating to Public Meetings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 92, Hawaii Revised Statutes, is amended by adding three new sections to be appropriately designated and to read as follows:

"§92- Neighborhood board; notice and agenda; public input; quorum. (a) The agenda required to be included in written public notice of a neighborhood board meeting may include an opportunity for the board to receive public input on issues not specifically noticed for consideration at the forthcoming meeting.

(b) Any matter raised as part of the public input agenda may be discussed and information on the matter may be received by the board at the meeting; provided that the board may not make a decision on the issue. The board may make decisions on matters raised by public input only at a meeting continued to a reasonable day and time and for which an amended agenda has been filed.

(c) A quorum is required only to conduct official board business or for the purpose of discussion and voting required to validate an act of the board as part of official board business. A board may receive information on official board business without a quorum; provided that the board may not make a decision on the issue.

"§92- Permitted interactions of neighborhood board members. (a) Two or more members of a neighborhood board, but less than the number of members necessary to constitute a quorum for the board, may attend informational meetings or presentations on matters relating to official board business, including meetings of another entity, seminars, and community meetings; provided that the presentation is not specifically and exclusively organized for or directed toward members of the board.

(b) Neighborhood board members may participate in discussions, including discussions among themselves, provided that the discussions occur during and as part of the informational meeting or presentation and there is no deliberation on the issue. The board members, at the next duly noticed meeting of their neighborhood board, shall report their attendance and the matters presented and discussed that related to official board business at the informational meeting or presentation.

§92- Neighborhood board meeting; unanticipated events; public interest. (a) For purposes of this section, an unanticipated event that occurs after public notice of a neighborhood board meeting has been issued but before the scheduled meeting, may be the subject of discussion and deliberation at the scheduled meeting if timely action on the matter is necessary. At a duly noticed meeting, a board may take action on an unanticipated event in the public interest that is not on the agenda in the same manner as if the board had held an emergency meeting pursuant to section 92-8 to take action on the issue.

(b) An unanticipated event that is a public interest issue is an issue that concerns public health, safety, or welfare that has become known to the board or the public after the scheduled meeting was duly noticed, but before the date of the meeting."

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. In strong support. I think the experts in this particular area are the members of the Neighborhood Boards themselves. It's true, as the Representative from Hawaii Kai said, they are basically handcuffed in performing their job.

"There are two parts. The part that's not as controversial of course is an easy one, and that is allowing two or more members, but less than a quorum, to attend very important informative sessions or meetings out in the community. That's really the reason why they want to participate in the process in having themselves elected as members of the Neighborhood Board; so that they can attend these particular meetings and then meet with their counterparts or members on behalf of their particular districts and their communities.

"The first part, which is a little bit problematic, actually is not as bad as stated by one of our Caucus Members. There are protections in the bill to ensure that anything that's discussed be re-discussed again with the full Board, or with a full quorum prior to any decision being made. In addition to that, it will be specifically listed on the next agenda prior to decision making.

"I would like to thank the Chair of Judiciary, and the Vice Chair of Judiciary for moving this measure forward. It's huge, huge legislation on behalf of the Neighborhood Board in Waipahu. Thank you, very much."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2730, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LEGAL REQUIREMENTS FOR NEIGHBORHOOD BOARD MEETINGS," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Berg and Cabanilla voting no, and with Representatives McKelvey, Nakasone and Sagum being excused.

At 2:24 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2346, HD 2, SD 2, CD 1
H.B. No. 931, HD 1, SD 1, CD 1
H.B. No. 2847, SD 1, CD 1
H.B. No. 3249, HD 1, SD 1, CD 1
H.B. No. 2661, HD 2, SD 2, CD 1
H.B. No. 2492, HD 1, SD 1, CD 1
H.B. No. 2730, HD 1, SD 1, CD 1

At this time, the Chair announced:

"Members, on page 16, Conference Committee Report No. 75-08, HB 1832, HD 1, SD 1, CD 1, will be moved to the end of the Calendar today."

Conf. Com. Rep. No. 72-08 and H.B. No. 2253, HD 2, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2253, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AMENDING OR REPEALING VARIOUS PROVISIONS OF CHAPTER 281, HAWAII REVISED STATUTES, INTOXICATING LIQUOR, FOR THE PURPOSE OF CLARIFYING LANGUAGE, CORRECTING ERRORS, AND DELETING UNNECESSARY AND OBSOLETE PROVISIONS," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 74-08 and H.B. No. 2557, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2557, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in favor of Conference Committee Report 74, and House Bill 2557, Relating to Evidence. This provides a Shield Law to journalists. I have reservations regarding the definition of who may claim this privilege. A Journalist Shield Law is designed to encourage the dissemination of accurate information to the public for openness and truth. Ironically, this bill may protect those individuals who knowingly disseminate inaccurate information, such as unscrupulous online bloggers.

"This bill provides for the protection of journalists who disseminate information in the public interest. However, the bill is too broad and includes individuals who look like journalists, but are not held to the same ethical standards. An individual who wants to claim the privilege needs only show that: One, that he or she regularly participates in the dissemination of information of substantial public interest. Two, their position is similar to a journalist. Three, their interest is similar to a journalist's interest in protecting his or her source. And four, protecting the individual's source is in the public interest. This definition is not narrow enough to parse the bloggers who write to inform the public, from the bloggers who merely write for entertainment or who have an ax to grind.

"There is no ethical or professional threshold against which to measure these people. This bill treats journalists of reputable newspapers and media exactly the same as a writer on a gossip blog. True, professional, full-time journalists, whether print, television or online, are accountable to their editors, as well as to their readership or viewers. In contrast, many bloggers are accountable only to themselves. Because of the broadness of the definition, I vote with reservations."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with slight reservations also. Mr. Speaker, Thomas Jefferson said, 'If it were left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.'

"Now Members, those of you who have visited my office know that I'm reminded of this daily because I have a bust of Thomas Jefferson in my office, and this and other things often tend to remind me of the rights of the people, of the common sense, of the common good for the common people. And this is the common sense for the journalists. They need a shield. They need the protection. They need a way of going about doing what they're doing. But I totally agree with the previous speaker that it's a little bit 'loosey goosey' when it comes to the definition of who should or who should not be in it.

"I think we have a good beginning. It can be tightened up. And Mr. Speaker, the bottom line is I hope that this encourages the journalists who are here in the Capitol, in the City Hall who are round about for more fair, balanced and otherwise, more investigative reporting, which hopefully this Shield Law will help bring about, which I'm sure was in the dream of when Thomas Jefferson said what he said, that I began my speech with. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure with reservations, stating:

"Mr. Speaker and Members, I vote with reservations on this measure. I really don't see any major need for a Shield Law. I haven't seen any reporters being taken on and put into jail in journalism. They do have protections under the federal Constitution to protect them, and I don't see why they need additional protection on the local level.

"Mr. Speaker, I ask Members to really consider this as we move along. I understand that this is an evolutionary thing that we're going to be looking at in the future. But we need to remember to keep things in balance. I think everything must be kept in its proper perspective, and I believe the Shield Law is going beyond what is needed. Thank you."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this bill with very brief comments thanking the Vice Chair of the House Judiciary Committee for substantial effort and credit that he's taken for crafting a bill that has in the end, satisfied both the news media and journalists, as well the Attorney General as the chief law enforcement officer.

"I think Mr. Speaker, that this bill actually puts Hawaii in a leading position nationally in taking positive steps to ensure freedom of the press. And so I rise in support. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, a brief rebuttal to the Speaker Emeritus who is almost the elder statesman today, except for when it comes to freedom of the press. Mr. Speaker and other Members who were here in the early 90s who knew of a particular Representative of Waianae who introduced a bill to basically regulate journalists the way we regulate utilities. They were to give us a list of their assets, a list of their ownership. There was a suppression of the freedom of the press, which almost got through this body at that particular time, and I thought that was a rather scary moment in our history because it kind of went to the exact opposite of what now we, some 10 or 15 years later, are arriving at with this Shield bill.

"What I think we were doing is progressing more in the direction of letting the free flow of information take place, and letting journalists be what they're supposed to be, and not regulating them for our own good. So Mr. Speaker, we've gone on the dark side. This is coming back to the light side. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2557, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EVIDENCE," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 76-08 and H.B. No. 2486, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2486, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, I stand in strong support. I stand in strong support of House Bill 2486, SD 1, CD 1, because I believe it's important to work to preserve Hawaii's unique architectural and cultural heritage because historic preservation is an important element in the present and the future quality of life, and it is most important to the economic viability of our State.

"With numbers dipping from Japan tourists, it would behoove us to take a look at what our State is, and why we attract who we attract. If we're going to look like where someone comes from, there's really not that much incentive to come to Hawaii. If we are just going to compete on the level of beaches, there are a lot of destinations that have beaches and world-class hotels. Mr. Speaker, I submit that what makes us important is our unique cultural heritage of this State. And that heritage is embodied in urban surroundings that we see around us. HB 2486 would require photo documentation of historical buildings prior to their demolition or alteration.

"We recognize that not all historic buildings will rise to the level of significance or antiquity that would necessitate complete preservation or complete restoration. At times, demolition or substantial alteration may be unavoidable and in these cases, it's important to have archival-quality documentation for future study to understand context of the site, to understand the historic analysis, and understand the architectural record. This practice in preservation establishes these technical specifications and they should be used in the photo documentation and photographs housed in the State Historic Preservation Office.

"But you ask why is historic preservation important? Why should it be such a big deal that we're photographing buildings before they're knocked down? Innocent people think this is small. Number one, it's important for the reconstruction if we want to have an architect reconstruct what a certain building looked like.

"Number two, it's important because we understand our historical context. In other words, what happened before. An example Mr. Speaker, might be Chinatown. At first glance, at first hearing, most people think that Chinatown was all Chinese, but in fact it was not. In fact Chinatown was the recipient of our different ethnic forefathers. One of the most outstanding and beautiful buildings was the Toyo Theater which is gone now, but if there had been a photograph we could have reconstructed it. We cannot.

"Certain buildings help us to understand our own past, our sense of place. Examples of this might be other buildings that the present people who own them may not have known how important or crucial what they have is. Some people know that Kam Bowl just went down. Varsity Theater went down. The fact is that historic preservation is important also to the future heirs, the people who will take care of these places, to seek to understand and know who came before.

"Buildings and knowing what something looked like can be personal. What did the house that my great grandmother lived in look like? These things don't seem important, they don't seem like they're really that special, but the fact is they're the glue that keeps us together. A lot of them have the challenges of crystal meth. We have the challenges of drug use and increased breakdown of our community, just the way preservation does. So it's good that this is a State mandate because actually, what it is doing is put on record the way things used to be for all of us. Thank you."

Representative Cabanilla rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. I have a similar request as the Representative of Waipahu to have the words of the Representative from Liliha entered as my own. I would also like to address any concerns that were raised as to whether this will affect or unduly burden regular property owners.

"If you look at the bill, the building in question has to qualify under federal historical, or State historical preservation guidelines, so this will not impede homeowners from remodeling or upgrading their properties. It's a good bill and it will provide like you said, for future architects and designers, for them to draw from the past to build for the future. Mahalo."

Representative Evans rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2486, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 79-08 and H.B. No. 2204, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2204, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you, very much. Mr. Speaker, I'm standing in opposition to this measure, Conference Committee Report 79-08, H.B. 2204, HD 1, SD 1, CD 1, Relating to the Liability of Firearm Owner. I ran this through SPPAM, which is Sonson's Public Policy Analysis Machine and this is what I find. We have to take a look at issues, the goals, what the policy will do, and the affect of the measure before us. The issue is gun ownership. We believe as a society that guns are dangerous. They are inherently dangerous. They are like a pet tiger. You have him as a cub and you take him home. It's really a nice tiger, but sooner or later the tiger will bite someone's head off. Probably yours.

"Guns are the same way. Not unlike drunk driving, guns will kill when it gets in the wrong hands. And that's why as a society we say that if you want to own guns, you better take care of them because we are going to do something about that. We're going to punish you in order to make sure that you are taking care of your guns safely. So we have good legislation that says that you are absolutely responsible if something happens to this gun. You can have it. You have constitutional provisions that say you are allowed to keep guns. There you go. You can have the gun, but you are absolutely responsible, or liable for any damage it may cause. That's the existing law. We're going to change it now to say that well, if you are an individual, you're absolutely liable. But if you are a government entity such as the County of Hawaii, if something happens to the gun, it gets lost from your possession, it's used outside the scope of how the law said it can be used, you make exceptions. I thought we wanted to say that guns kill and if you are a gun owner you are responsible. There should be no exceptions.

"We are making exceptions, and once we make exceptions there will be more exceptions. Essentially we are going to be weakening our resolve to say as a society that we don't want guns out there. It doesn't matter who owns it. You are absolutely responsible. That's why I'm in opposition to this measure, because it does water down

as a resolve, as a society, that guns are inherently dangerous. Please vote no on this measure. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to this measure, but probably for the opposite reason from the previous speaker. If it is going to exempt the State and county from liability for the guns that they purchased for the police or the sheriffs, then maybe we should have that same set up for individual gun owners. If they happened to have been robbed and somebody stole their gun, they should not be responsible for that as long as they report that it was stolen and they no longer have it in their possession. It's not something that they wanted or asked for, but somebody stole their gun.

"So this sets up an exemption for one group of gun purchasers and doesn't do anything for the other group. For that reason, I'm voting no."

Representative Sonson rose to respond, stating:

"Just for the edification of the prior speaker, read the bill, because it does offer protection already for gun owners. I'm just concerned about the legal issues here regarding absolute liability and any exception to that.

"As far as the affirmative defense for gun owners, it's there. It's law. If you can prove that it was stolen from your possession and you make a report, you are absolved from absolute liabilities. It's there. What I'm really concerned about it our policy, which is, hey if you're a gun owner, you're absolutely liable. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2204, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LIABILITY OF A FIREARM OWNER," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Meyer and Sonson voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 80-08 and H.B. No. 3002, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3002, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROSTITUTION," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Bertram voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 82-08 and H.B. No. 3040, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3040, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Bertram voting no, and with Representative Nakasone being excused.

At 2:42 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2253, HD 2, SD 1, CD 1
H.B. No. 2557, HD 1, SD 1, CD 1
H.B. No. 2486, SD 1, CD 1
H.B. No. 2204, HD 1, SD 1, CD 1
H.B. No. 3002, HD 1, SD 1, CD 1
H.B. No. 3040, HD 1, SD 1, CD 1

Conf. Com. Rep. No. 84-08 and H.B. No. 3173, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3173, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker in strong support with brief comments. This is a bill that is long overdue to try to bring some accountability to vessels that break loose and end up on the reefs so that they don't end up like the one on my reef, which has been sitting there for going on five years now, and nobody seems to be able to get it off the reef. So it's about time, and thanks again for the support of the Members for moving this measure forward."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3173, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GROUNDED VESSELS," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 85-08 and H.B. No. 3177, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3177, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in support with some reservations.

"This bill increases the maximum penalty for violations within the Conservation District and authorizes the Board of Land and Natural Resources to assess fines based on damages to natural resources.

"Mr. Speaker, Hawaii's natural beauty attracts visitors and guests from around the world and I agree we should protect our conservation district from those who purposely violate our laws. However, I am concerned the fine increases in this bill are excessive. According to this measure, maximum penalties are increased from $2,000 to $15,000. I think the fines should be increased, but increasing fines by $13,000 for a problem that is not widespread does not seem necessary. According to statistics compiled by the Office of Conservation and Coastal Lands, there were only 38 violations over a three year span. Mr. Speaker, I support this measure by the Governor, but I think the fines are somewhat over the top. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3177, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PENALTIES FOR VIOLATIONS WITHIN THE CONSERVATION DISTRICT," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 86-08 and H.B. No. 2062, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2062, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition. Thank you, Mr. Speaker I would like to first be absolutely clear that I am in favor of facilitating long-term care and aging in place. But I have to not ignore what the possibilities are, the unintended consequences. So for now I would like just express my concerns.

"This bill, HB 2062, Relating to Long-term Care, requires DHS to apply to the federal Centers for Medicare and Medicaid services to allow Medicaid nursing home patients to remain at home to receive care. This bill does not necessarily do anything to ensure proper long-term care. In fact, it may even prevent effective long-term care. In requiring DHS to apply to CMS for approval now, this bill locks DHS into a particular program for long-term care restricting DHS' flexibility. By itself, this bill looks okay, but let me explain further.

"This Legislature has authorized studies and a task force to study the issue of long-term care, yet this bill seeks to lock DHS into a long term care program right now, making DHS unable to implement the recommendations of the studies and task force that the Legislature has authorized. We could very well accomplish this slowing or the halting of any particular program. It should also be noted that DHS has already made great strides in providing long-term care services. Four years ago, DHS implemented the Going Home project, which was implemented through in 1915C, CMS Medicaid waiver and the administrative rules. This project already allows the quote, 'money to follow the clients.'

"Mr. Speaker, if I am incorrect about this, then I apologize, and it's my one vote in opposition. But I want to basically make sure that when we are looking at these kinds of things, the unintended consequences, I don't want it to hurt any possibilities for good long-term care situations. Thank you."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. Mr. Speaker, I'm quite perplexed because at the Conference meeting, the language that you see before you in this bill is actually from the Department of Human Services. They provided us with the language for this bill. So again, I'm a little perplexed by the comments of the prior speaker.

"The intent of this bill is quite simple. It is to have the money follow the person. So if that person is at a nursing institution and wants to go home, he or she can do that and that money will follow that person. In addition, DHS made it clear to us that they have four grants, four federal grants in the amount of about $10 million, and that's specifically for that intent, to have the money follow that person. That's a pilot project that they're working on.

"So again I'm a little confused because the language and the support that we got was actually from the Department of Human Services. Thank you, Mr. Speaker."

Representative Finnegan rose, stating:

"Thank you, Mr. Speaker. I am not going to rise in rebuttal. I am actually going to withdraw my no vote and instead vote with reservations, in hopes that that's what happened in Conference Committee. I am open to correction, and like I said, wanting to see what's best for long-term care. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2062, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LONG-TERM CARE," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 87-08 and H.B. No. 2761, HD 1, SD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2761, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WOMEN'S HEALTH," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 89-08 and H.B. No. 2520, HD 3, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2520, HD 3, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Bill 2520, Conference Draft 1 which establishes a working group to explore the provision of wage replacement benefits to employees who are caring for sick family members. As our population ages and as more and more working people find themselves in the role of caregiver, we must find ways to support family caregiving in a way that allows these family caregivers to remain in the work force. The proposed working group in House Bill 2520 is an important step in ensuring that we develop the right policies to address this need."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of HB 2520, HD3, SD2, CD1.

"Mr. Speaker, the future of our elder population is always increasing in the State of Hawaii. By supporting this measure, not only do we as legislators recognize the hard work of the many citizens who carry the burden of being the primary means of care for a family member with a chronic illness, mental or physical disability, but we also alleviate the stress of the caregivers who also hold a valuable place in the job market. These caregivers have been called the "backbone of America's long term care system," saving the nation over three hundred billion dollars in residential long-term care.

"Caregivers are the people who give up their vacations, good paying jobs, put their friends and home on the backburner, put their marriage in jeopardy to fulfill and honor their vows as a parent, spouse or child. They are also known to have high amounts of anxiety, depression, guilt and frustration, which could and often leads the caregiver to be at risk of suicide, alcohol and drug abuse, and also physically and mentally deteriorate from such high amounts of stress. This burnout is counterproductive when the caregiver must contribute to the workplace. While taking on such feats as working part-time or all day, the caregiver must be able to think clearly for the responsibilities of issuing their loved one's prescribed medication, with the specifics of the right dosage, at the right time under the right methods. Physical strain may also occur to a caregiver, as sleeping patterns may be disrupted.

"Their ability to leave the home for a simple trip to the store or an office may turn into a demanding task because it may require situating a care receiver in and out of the vehicle and he or she may become confused or frustrated in a crowded, unfamiliar place. These cherished care providers often need to rise to demanding new financial strains and increased domestic responsibilities like cleaning, cooking extra meals, and a possible role reversal might happen between child and parent or spouse. By protecting the caregiver you are implicitly protecting the care receiver from possible abuse. Professionals recommend taking breaks from continuous care giving to avoid burnout. Providing a relief from the workplace and the home will empower the caregiver giving him or her more support to continue with the emotional distress.

"Mr. Speaker, House Bill 2520 encourages the marketplace with steady incomes and retention of jobs. From a business perspective keeping experienced employees rather than training new ones is less costly and improves the efficiency of the workplace. It is time to invest in our caregivers who have gone unappreciated for so long. I strongly urge for the passage of this measure. Thank you, Mr. Speaker."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure.

"For the last two years, the Joint Legislative Committee on Family Caregiving has met frequently on caregiving issues. It became apparent to members of the Committee that caregiving is a widespread concern. I would venture to guess that many members of this body can relate to the need for family caregiving and have instances in their own family where it is or was a necessity.

"The family caregiver in Hawaii provides 15% of the elder care in Hawaii compared with 5% on the U.S. mainland. Balancing the demands of a job with family needs is a tremendous challenge for working people today. People who must work to provide for their families increasingly find themselves torn in two directions. Meanwhile, many businesses find it hard to recruit, train and keep skilled workers. Without paid time, too many people can't discharge their caregiving duties when the recipient has an emergency illness, surgery or accident.

"As part of their work, the Joint Committee conducted a caregiver assessment and an employer assessment. The caregiver assessment gave strong indications that paid family leave would be a tremendous help to caregivers who are still in the workplace and help retain valuable employees in the work force.

"HB2520 would support family caregivers by establishing a working group to explore various funding mechanisms that could potentially support paid family leave for family caregivers. The working group would review and analyze data, inventory eldercare policies and practices that currently exist in the workplace and the extent to which they exist and consider possible enabling legislation.

"The need is unquestioned. The working group would be a good start to addressing that need. Let's follow the lead of California, Washington State and New Jersey in helping our family caregivers and business as well.

"I urge my colleagues support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2520, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVERS," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 90-08 and H.B. No. 2366, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2366, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Since the passage of Act 88 in year 1999, which provided the Clinical Staff of Organ Donor Center of Hawaii 24 hour access to Hawaii Driver's License Information to know whether Organ Donor designation was indicated on the driver's license, more lives have been saved. Organ Donor designation on Hawaii Driver's license have shown significant impact on families knowing their loved one's wishes, 94% of families approached consented to donation knowing that their loved one had indicated their wishes to be an organ donor on their driver's license compared to an overall consent rate of less than 50%.

"The sad part is the number of patients waiting for organ transplants continue to increase at a very alarming rate, there are more patients waiting and the number continues to increase everyday. Any of these patients can be anyone of us, our neighbor, families, friends or anyone that we know.

"Currently, in this State, more people are added to the organ transplant waitlist than are able to be transplanted off of it. In the past years, we have been declining in the number of donors and thus the number of organs and transplantations are declining and we as legislators have a social responsibility. In such a society, donating organs would be accepted as a normal part of dying, and in cases where a person died without recording a specific choice about donating his or her organs; the surviving family members would be comfortable in giving their permission.

"On the positive note the collaboration and partnership of different agencies involved in the promotion of organ and tissue donation and the formation of the Hawaii Coalition on Donation (HCOD) has produced encouraging results. During the past seven years, the number of drivers who signed up as organ donors had increased. And having a Statewide Organ Donor Registry will encourage, and more individuals will have the opportunity to have their wishes documented by signing up to be included in the donor registry."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in support and I feel compelled to talk about this most worthy measure, if I may. The purpose of this bill is to save the lives of individuals in need of organ transplants by establishing a State wide organ donor registry program. Now in 1999, the Legislature passed House Bill 547 which was enacted as Act 88. This allowed the clinical staff of the Organ Donor Center of Hawaii 24-hour access to the Hawaii driver's license information to ascertain whether that person had an organ donor designation which was indicated on their driver's license. That was very important because it ended up saving a number of lives in the State of Hawaii.

"However, it is important to note that current organ donor designation on drivers' licenses is about 40 percent. Therefore this measure provides for statewide organ donor registry which will encourage not only those who have drivers licenses, but every individual to have the opportunity to sign up on the organ donor

registry. The registry will allow online registration access and will have a centralized data base and automated system of organ donor information for donors, authorized family members and authorized physicians.

"According to the Organ Donor Center of Hawaii and our State, more people are added to the organ transplant waitlist, than are transplanted off of it. The result is that more patients are dying, while on the waitlist. They are being denied because they are too sick to be transplanted. Mr. Speaker many of these people on the organ donor waitlist are family members, friends, even people at this institution. There are faces that are truly attached to this measure, therefore I believe that our community should be a society where people see organ donation as a social responsibility. In such a society, donating organs should be accepted as a normal part of passing away. To achieve this there must a mechanism for everyone to access information, to be given the opportunity to give uniform consent to donate their organs so that others may live. This bill provides such a mechanism to save the lives of loved ones Statewide.

"This measure is also fiscal prudence because it does not cost the State any funds. However, with the establishment of the statewide organ donor registry, Hawaii is in line to secure a $150,000 federal grant from the United States Department of Health and Human Services, Health Resources and Services Administration. Today the House of Representatives will decide if they can support a bill to save lives. Life is so precious and there is no better gift to others than the gift of life. I respectfully urge all Members to support House bill 2366, CD 1. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am also in strong support. I ask that the words of the Representative of Kalihi be entered as my own. We must remember always that we are, unfortunately, number one in diabetes in the United States. And after diabetes becomes so chronic it turns into kidney disease. This is so tragic because so many of our people are passing away of this. And so I stand in strong support, Mr. Speaker."

Representative Sonson rose to speak in support of the measure, stating:

"In very strong support for this measure. I'm really saddened that the result of the shortage of organs available to individuals who really, really need them in developed countries results is 'organ farming' in underdeveloped countries. If you Google this issue, it covers countries such as the Philippines, Thailand, Indonesia and India. There are little shops that arise where they actually take very poor people who are otherwise healthy, and offer them a very little amount of money. They just say, 'Give us your organs,' and they farm these organs. It's very sad and it should not happen.

"The citizens of developed countries look to underdeveloped countries for organs because they want to live. I don't blame people for wanting to live, but I don't like the result when we, as a developed country, look at the underdeveloped countries, look at the poverty and those people who live in those countries, and exploit them. I think measures such as this will encourage individuals to be listed on a registry where we can help someone. That's why I support this bill."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2366, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ORGAN DONOR REGISTRY," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

Conf. Com. Rep. No. 92-08 and H.B. No. 2272, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2272, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED COMMUNITY REHABILITATION PROGRAMS," passed Final Reading by a vote of 49 ayes, with Representatives Luke and Nakasone being excused.

At 2:55 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 3173, HD 1, SD 1, CD 1
H.B. No. 3177, HD 1, SD 2, CD 1
H.B. No. 2062, HD 1, SD 2, CD 1
H.B. No. 2761, HD 1, SD 1, CD 1
H.B. No. 2520, HD 3, SD 2, CD 1
H.B. No. 2366, SD 1, CD 1
H.B. No. 2272, HD 2, SD 2, CD 1

At 2:55 o'clock p.m., Representative Finnegan requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:58 o'clock p.m.

Conf. Com. Rep. No. 93-08 and H.B. No. 2386, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2386, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, I am in opposition to this measure, HB 2386. It requires an employer to pay temporary total disability benefits regardless of whether the employer controverts the right to benefits. It specifies that the employee's ability to return to work is to be decided by the employee's treating physician.

"According to the Chamber of Commerce, they say: 'We understand the intent of this bill, however the Chamber opposes this measure because of the unintended consequences that could result with the passage of this measure. We believe this bill may serve as a disincentive for an employee to return to work. If this happens it will hurt small businesses, which operate on limited resources. We believe this is not a good bill, and we would urge all of you to vote no.'"

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll be voting no on this. I just want to point out that the Governor vetoed this measure last year, and would ask if I could submit some remarks in the Journal."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I am rising in opposition to CCR No. 93-08.

"This measure is similar to House Bill 858 that was vetoed by the Governor last year.

"HB 2386 SD2 CD1 would needlessly increase the costs of workers' compensation claims and create a disincentive to return to work. More specifically, it may encourage certain employees to continue to contest returning to work because even if the Director determines the employee is able and could have gone back to

work, the employee bears no risk for failing to do so, as the benefits the employee was paid are non-recoverable by the employer.

"While the bill entitles an employer to a credit, any credit is limited to the amount paid to the employee after the Director of Labor notifies the parties of the date when payments should cease. Any benefits paid prior to the decision by the Director are not recoverable by the employer.

"The process created by this bill is flawed. It provides a process for an employee, but no similar process for the employer to request a hearing. According to this bill, an employer cannot terminate TTD benefits unless the Director of Labor orders the termination, or the employee's treating physician determines that the employee is able to resume work and the employer has made a bona fide offer to work within the employee's medical restrictions. This bill provides no process for the employer to request a hearing, thus establishing inequitable treatment of the employer versus the employee.

"There are already safeguards in place that deter employers from terminating TTD benefits unless there is a valid and good faith basis to do so. Under HRS 386-92, if the employer fails to pay TTD benefits in a timely manner, a 20% penalty may be added to the unpaid benefits due. Mahalo."

Representative B. Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2386, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 38 ayes to 10 noes, with Representatives Berg, Ching, Evans, Finnegan, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 94-08 and H.B. No. 2388, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2388, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative B. Oshiro rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Again, I am in opposition to another worker's compensation measure. This is House Bill 2388 and it would require the employer to continue medical service to an injured employee, despite disputes over whether the treatment should be continued. You must wait until the Director of Labor and Industrial Relations decides whether a treatment should be continued. In other words you must wait for a hearing and disposition.

"The Chamber of Commerce opposes this measure, saying that: 'We understand the intent of this bill and recognize that workers suffering from work related injuries deservedly warrant proper and necessary treatment. However this measure may cause unintended consequences such as unreasonable and unnecessary treatment for nonrelated work injuries. As a result employers, especially small businesses may be subjected to increase in worker's compensation premiums and the overall cost of doing business.'

"This will hurt the economy, Mr. Speaker. Please vote no."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. In strong support. This measure is very important for providing healthcare to injured people. It could be the worker, or it could the employer, himself or herself. The exception that we're providing in this measure is very limited. It's only in certain terms of where essential medical services prescribed by the treating physician necessary to prevent deterioration of the employee's condition. This limits this to those conditions only. Since these are essential medical services that are being required, if we stay with the law as is, and services are stopped. But it does not really stop there. This person would have to go somewhere for treatment. If treatment is denied, this particular injured person will end up in our emergency rooms. It's clear we will pay for this one way or another. It will be their responsibility because normally it would be covered under HMSA if it's denied by worker's compensation. If it is denied by worker's compensation, HMSA or any other private provider, normally they would then go into Medicaid or QUEST, and the State will end up paying for it.

"This particular measure is a relief for injured people. It makes sure that they are not punished for being injured, just because there is a question between two doctors, probably an insurance doctor and a treating physician, on what is necessary to elevate this person's condition. The treating physician in this case is the doctor that knows this particular person and this particular injury. That treatment is not only stopped by an insurance doctor hired for the very purpose of stopping treatment. So because in this situation where there will be no treatment provided at all, we are providing some relief through this measure so that those essential medical services are provided for until such time as the director can hear this particular issue and make a decision. So thank you, Members. Please support this measure."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"HB 2388 HD1 SD2 CD1 requires the employer to continue medical services to an injured employee despite disputes over whether treatment is still needed. These treatments will continue until the Director of Labor and Industrial Relations makes a decision on the case.

"This bill erodes the rights of the employer and will lead to increased workers' compensation premiums, increasing the costs of doing business in Hawaii. DLIR estimates that this proposal would add $34 million in payouts from employer premiums and $5 million more in payouts for self-insured employers.

"Mr. Speaker, the number of hearings at the Department of Labor will likely increase dramatically under this proposal. DLIR estimates that they will have to bring on extra personnel, which could cost approximately $460,652 initially and $426,552 in salaries annually.

"This proposal is identical to the two bills the Governor vetoed in 2006 and 2007. The Governor's Office says the objections the Governor had for vetoing those bills still exist in this proposal and I will be voting no on this measure. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2388, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 39 ayes to 9 noes, with Representatives Berg, Ching, Evans, Finnegan, Marumoto, McKelvey, Meyer, Thielen and Ward voting

no, and with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 99-08 and H.B. No. 3179, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3179, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this measure. This bill's purpose is to encourage the development of biofuels and reduce the State's dependence on fossil fuel. Mr. Speaker, I think that we are learning internationally and nationally, that this is not the right way to go. I know the Majority Leader spoke about having agricultural lands just vacant at this point, and so once they are converted to producing crops for biofuels and then if we need them for food, we can make the change. Basically that would be too late to make that change.

"We don't produce enough food here in Hawaii to feed our people, so to use the land for so called, energy crops, doesn't make sense. A recent United Nations report called, *Biofuels: A Crime Against Humanity*, and then there's another article by Lester Brown who is the founder and president of Earth Policy Institute, and Jonathan Lewis, a climate specialist and lawyer with the Clean Air Task Force, they're saying that food-to-fuel mandates have failed the world. That food-to-fuel mandates were meant to move America toward energy independence and mitigate global climate change, but the evidence irrefutably demonstrates that this policy is not delivering on either goal. In fact, it is causing environmental harm and contributing to the growing global food crisis.

"Mr. Speaker, if I may have permission to insert excerpts from this article into the Journal, I would appreciate it. Thank you."

Representative Thielen submitted the following excerpt:

The Honolulu Advertiser
Posted on: Wednesday, April 23, 2008
COMMENTARY

"Food-to-fuel mandates have failed the world
By Lester Brown and Jonathan Lewis

… These "food-to-fuel" mandates were meant to move America toward energy independence and mitigate global climate change. But the evidence irrefutably demonstrates that this policy is not delivering on either goal. In fact, it is causing environmental harm and contributing to a growing global food crisis.

…

It is now abundantly clear that food-to-fuel mandates are leading to increased environmental damage. First, producing ethanol requires huge amounts of energy — most of which comes from coal. Second, the production process creates a number of hazardous byproducts, and some production facilities are reportedly dumping these in local water sources.

Third, food-to-fuel mandates are helping drive up the price of agricultural staples, leading to significant changes in land use with major environmental harm. Here in the United States, farmers are pulling land out of the federal conservation program, threatening fragile habitats. Increased agricultural production also means increased fertilizer use. The National Academy of Sciences reported last month that meeting the congressional food-to-fuel mandate by 2022 would lead to a 10 to 19 percent increase in the size of the Gulf of Mexico's "dead zone" — an area so polluted by fertilizer runoff that no aquatic life can survive there.

Most troubling, though, is that the higher food prices caused in large part by food-to-fuel mandates create incentives for global deforestation, including in the Amazon basin. As Time magazine reported this month, huge swaths of forest are being cleared for agricultural development. The result is devastating: We lose an ecological treasure and critical habitat for endangered species, as well as the world's largest "carbon sink." And when the forests are cleared and the land plowed for farming, the carbon that had been sequestered in the plants and soil is released. Princeton scholar Tim Searchinger has modeled this impact and reports in Science magazine that the net impact of the food-to-fuel push will be an increase in global carbon emissions — and thus a catalyst for climate change.

Meanwhile, the mandates are not reducing our dependence on foreign oil. …

Turning one-fourth of our corn into fuel is affecting global food prices. … Deadly food riots have broken out in dozens of nations in the past few months, most recently in Haiti and Egypt. World Bank President Robert Zoellick warns of a global food emergency. The immediate necessary step is a major increase in global food aid. But beyond that, America must stop contributing to food price inflation through mandates that force us to use food to feed our cars instead of to feed people.

…

Lester Brown is founder and president of the Earth Policy Institute. Jonathan Lewis is a climate specialist and lawyer with the Clean Air Task Force. They wrote this commentary for The Washington Post."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3179, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF RENEWABLE ENERGY PRODUCER," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Thielen voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 101-08 and S.B. No. 2977, SD 1, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2977, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 103-08 and S.B. No. 2879, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2879, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of C.C.R. 103, S.B. 2879, S.D. 2, H.D. 1, C.D. 1 which establishes a power of attorney for special education. It also establishes the process to appoint an educational representative for an adult

student who lacks capacity and clarifies the authority of a guardian of an adult student. This measure is a long and complicated initiative that has many educational and legal consequences, yet it was not referred to either the Education Committee, or the Judiciary Committee. It was only referred to the Finance Committee. In my opinion this would limit public discussion and participation, not giving this measure the exposure and discussion needed. It is particularly troubling that this bill was not heard before the Judiciary Committee. This measure deals with a power of attorney, and deals specifically with special education students who are especially vulnerable. A hearing before the Judiciary Committee could have alleviated any negative or legal consequences to the passage of this initiative.

"The potential legal ramifications of this bill need a closer look. In particular, I am concerned that this bill does not reflect the implementation requirements of the Individuals with Disabilities Education Act (IDEA) which incorporates a team approach towards the development of the student's Individualized Education Program. Having a single individual determine if the student is incapacitated, especially in lieu of a judicial process, is limited in providing safeguards to ensure the protection of the rights of the adult student.

"Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2879, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 104-08 and S.B. No. 2334, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2334, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Pine rose to speak in opposition to the measure, stating:

"In opposition. The reason I'm in opposition to this bill is because it would limit the Governor and the Director of Public Safety's ability to appoint candidates of their choice in certain positions. The Department of Public Safety has testified many times in opposition to this bill because we believe it's critical for the success and operation of any department. The Governor and director of a department have the opportunity and the capacity to select those administrators that will work within the current system.

"The Legislature has, time and time again, limited the Governor's power and this just another one of the them. I just find it very hard to believe that every district in the State voted for the Governor in the last election to basically take away the powers that they're electing her to continue. This bill makes stricter requirements. Well, maybe not stricter. Some people would believe them to be stricter requirements. But there are certain requirements that you must meet to be an administrator in this department. Basically according to these requirements, Mr. Propotnick, who is a former FBI agent, and he's an administrator in this Department, would not qualify. I can't think of a person who went through tougher training than Mr. Propotnick, and yet we're singling him out as not being qualified. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I vote with reservations for totally different reasons that have been explained before. My reservations stem from the fact that I'm just concerned about the impact that this will have on the ERS. That's why I support the Resolution that would convene a taskforce to look at the conversion of these positions to civil service and the impacts that they would have. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2334, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Meyer and Pine voting no, and with Representatives Nakasone, Sagum and Saiki being excused.

Conf. Com. Rep. No. 107-08 and S.B. No. 2876, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2876, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Sagum and Saiki being excused.

At 3:10 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2386, SD 2, CD 1
H.B. No. 2388, HD 1, SD 2, CD 1
H.B. No. 3179, SD 1, CD 1
S.B. No. 2977, SD 1, HD 2, CD 1
S.B. No. 2879, SD 2, HD 1, CD 1
S.B. No. 2334, SD 2, HD 1, CD 1
S.B. No. 2876, HD 2, CD 1

Conf. Com. Rep. No. 110-08 and S.B. No. 2652, SD 2, HD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2652, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 45 ayes, with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 112-08 and S.B. No. 2933, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2933, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise in support with serious reservations on Conference Committee Report 112-08, Senate Bill 2933, SD 2, HD 2, CD 1. Without belaboring the point, since I went through this on Third Reading, very quickly I'll just reiterate my concerns with this bill. Let me make clear, I do applaud the intent of this measure, but again, this bill allows the use of clotheslines by owner's of privately-owned single family residences and provides restrictions on the locations of clotheslines.

"The language of this bill says that the purpose of this Act is to prohibit contracts and other binding agreements for precluding the erecting and using of clotheslines on the premises of single family dwellings and to prohibit rules on the placement of clotheslines from being unduly or unreasonably restrictive. Again, unreasonably and unduly restrictive. What is that? It is tenuous language. I can't stress this any more. It is bad public policy to be passing laws with tenuous language such as that because again, it

leads to lawsuits for an interpretation by a court, thus increasing litigation. So again I think that is a very serious reservation I have regarding the language in this bill.

"Again, the second reservation I have deals with many of the communities here in the State of Hawaii that are guided under the auspices of declaration of covenants, conditions and restrictions. These are rules. These are binding contracts that we enter into. And the fact of the matter is this: they have restrictive covenants that we are bound to, and so these restrictive covenants, whether we like it or not, once we sign that contract with the developer, we are bound by that contract.

"There have been arguments I heard during Third Reading that it's only for aesthetic purposes. In my mind, we're treading the line here because in my mind, what this bill does is it interferes with negotiated and agreed upon terms of a contract, and it interferes with the expectations of the parties. The CC&Rs we are trying to amend will trump them, rendering this bill moot. This bill violates the Contracts Clause which prohibits retroactive modification of contracts. However, because I support the intent of this bill, I rise with reservations. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I also rise with slight reservations, but more from a perspective of the evolutionary use of solar energy. If we look at the track records we've been given, maybe 25 years of incentives to get solar on our roofs, I think the data says we're probably at 17 to 20 percent, 25 percent maybe at the most. We have pushed and pushed, and nothing has happened. Now we are mandating in another measure, that if you build a house after next year, you have to put in solar energy. So we've tried, and then we're saying if you didn't do it on your own voluntarily, we're going to force you. This bill reverses the evolutionary thing, it turns it on it's head in saying, without any constituents saying, 'You know, I really have got a problem with my community association. They told me to take down and tear down my clothesline.' I've not heard one constituent complaining about that, but yet we are. Big brother, big government. You will not restrict clotheslines. This is where government interferes and creates a problem before it even is created.

"We need to have a policy. We've got to have renewable energy, but to have clotheslines as our front and center energy policy for the Session, I think makes a mockery of what we need to take very, very seriously. For those reasons Mr. Speaker, it's a bill that will have some effect, but I think it's going to be more of, and as the previous speaker said, an irritant in the eyes of the people rather than getting them and convincing them to do things with renewable energy in mind. Thank you, Mr. Speaker."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, thank you. I am standing in support with reservations. I would like the good words from the Representative of Kapolei, with all her energy, to be added as my own, except please exclude the language in her comments about, 'What is that?' Thank you," and the Chair "so ordered." (By reference only.)

Representative Sonson rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In strong support. I don't think this bill will make a mockery of anything. It doesn't allow an individual to hang their laundry where everyone can see them and make fun of them, or say anything like that because of the colors or choice of style in their clothing. If that is the opposition, be at rest. This is a reasonable regulation to impose a restriction on good public policy, which is to allow people to enjoy the good smelling towels because they are hung up to dry naturally, and dried with renewable energy. I don't know how much it would help as far as eliminating global warming, but every little bit counts.

"We have to be very concerned that each time we use energy, we're burning up coal in other parts of the world. We have petroleum products, oil. We're burning things that cause our world to get warmer. So I'm in support of this environmentally-safe legislation. Thank you very much, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I'm rising in support with strong reservations. I'd like the words of the Representative from Kapolei and the Representative from Hawaii Kai inserted in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2933, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSEHOLD ENERGY DEMAND," passed Final Reading by a vote of 44 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 114-08 and S.B. No. 2768, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2768, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Conference Committee Report 114-08. This bill authorizes the Maui Health Care Regional System Board to issue $150 million in revenue bonds to finance the construction, improvement and equipment of the healthcare facility including the construction of a Heart, Brain and Vascular Center.

"These are revenue bonds, not special purpose revenue bonds. If Maui Memorial cannot repay these bonds, it will become a State obligation. The bill is clear that these bonds are special limited obligations of the State, payable exclusively from and secured by a lien on the revenues of the Heart, Brain and Vascular Center financed by the bonds. In our current budgetary environment, this is not fiscally responsible. It is not clear that Maui Memorial Medical Center can demonstrate the revenue stream to pay back the bonds. Even though this is a special limited obligation of the State, it is nonetheless an obligation and one that we should think very carefully about before we enter into it.

"Maui Memorial Medical Center is also a part of the consortium of hospitals that has run a multi-million deficit almost every year. Recently Maui Memorial successfully closed on an $11 million loan. While this speaks well for Maui Memorial's credit worthiness, adding these revenue bonds to their obligation they oversubscribe Maui Memorial. Instead of improving this kind of obligation at this time we should exercising financial restraint. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I rise in support. I'm kind of surprised that a Member of the Finance Committee would be speaking against this bill. Special revenue bonds have a process they need to go through, and of course they need to pass the Legislature and Finance Committee. They go through the Budget

Office and the Governor's Office. If she doesn't veto it, it goes to the Budget Director and the staff, they will examine the worthiness of the project and then they'll go on. If they find this worthy, they'll go to a finance company who would determine whether the cash flow and the revenue that's derived from these particular services would be enough to pay for the bonds. If it's not, they will not provide the revenue bonds. So it will not necessarily become a burden to the State because it will be examined quite carefully before it is allowed to the Maui Memorial Hospital.

"And it should also be remembered that Maui county is quite unique. It has only one hospital in the county, unlike the rest of the counties who have more than one hospital. But of course, this has no basis. The basis of this here is that no approval will be made until they have a cash flow plan that the mortgage brokers and the bankers will be willing to finance. Thank you, very much."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. While I have the greatest respect for Speaker Emeritus, we've tossed these terms around: special revenue, special purpose revenue bonds, general obligation bonds. But I would ask that he look at the bill and its title. This is not a special purpose revenue bond. These are regular revenue bonds, and that's the problem that I have. If it was a SPRB, we would not have the obligation that we will have as the hospital is really owned by the State, and if the hospital doesn't have the revenue stream and they can't make the payments, they'll be coming to the Legislature. Thank you."

Representative Evans rose to speak in support of the measure with reservations, stating:

"With slight reservations. My only comment is on the brain neurosurgery. I know that in Hawaii we have a really high rate of heart disease and diabetes, and obviously there are complications. So I'm really pleased to see that we're looking at a Heart Center. But I do have concerns about the brain and neurosurgery, because that's really expensive to have that type of equipment and those types of professionals. I just hope, like the previous speaker, that we have a good enough revenue stream or we'll be back asking the Legislature for subsidy. Thank you."

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. I would like to incorporate the words of Speaker Emeritus as if they are my own. Another example of, don't just read the title or the bill description. You have to read the bill. If you turn to page 3, line 17, subpart (d), it says that, 'Revenue bonds should be secured by the taxing power of the State.' The people are not on the hook here, plain and simple. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2768, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF REVENUE BONDS TO ASSIST THE MAUI REGION OF THE HAWAII HEALTH SYSTEMS CORPORATION," passed Final Reading by a vote of 43 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 115-08 and S.B. No. 2826, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2826, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB2826, CCR115-08.

"This measure will provide fundamental procurement training that shall be mandatory for State procurement officers and optional for county officers. State chief procurement officers must attend training within sixty days of being appointed. Additionally, further training may be required based upon a history of noncompliance or any other need.

"Hawaii has a very complex Procurement Code, and it is likely that many procurement contracts are awarded incorrectly due to an incomplete or inaccurate understanding of the Procurement Code. By providing mandatory training for State procurement officers, we will ensure that Chief Procurement Officers will have a complete understanding of the State Procurement Code. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2826, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 42 ayes to 3 noes, with Representatives Finnegan, Marumoto and Meyer voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 116-08 and S.B. No. 2824, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2824, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB 2824, CCR 116-08.

"This measure makes the Comptroller and the county representative on the State Procurement Policy Board ex-officio non-voting members and also requires the Procurement Board to audit at least two Executive agencies every year to ensure compliance with the Procurement Code.

"It is an inherent conflict of interest to include government employees on a board that oversees government procurements. Despite this, it is this exact situation that occurs on the State Procurement Policy Board. Making the Comptroller and county representative ex-officio non-voting members of the Procurement Policy Board will address this issue and ensure that the Procurement Policy Board shall remain a non-biased entity that can fairly examine questions relating to our Procurement Code.

"The second part of this measure directs the Procurement Policy Board to annually audit at least two Executive departments. In researching this measure, it was discovered that only one procurement compliance audit has been conducted in the past fifteen years. To ensure accountability in the expenditure of public funds, it is absolutely imperative that government departments fully comply with procurement. Passage of this measure will help safeguard the people of Hawaii from the misappropriation of public monies.

"Though some have argued that a specific incident served as motivation for these measures, your Committee on Economic Development and Business Concerns used this measure as an opportunity to improve Hawaii's procurement process. Mr. Speaker, the people of Hawaii deserve responsible and fair expenditure of their public funds, and this measure, as well as the preceding one, will build consistency, transparency, and accountability in our procurement process. Thank you."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, on CCR No. 116-08, I'm speaking in opposition to this bill. Mr. Speaker, I believe this is yet another anti-Ted Liu bill initiated by a Senator who seems to have an ax to grind with DBEDT's Director, some say for his creative and resourceful measures of fulfilling his Department's goals and for his enthusiasm for innovative initiatives, particularly those introduced by our Republican Governor.

"This bill originated after confusion with the procurement of the Hydrogen Investment Capital Special Fund management contract. Since that time the contract was rescinded, corrective actions were taken, and the contract was reposted and bid. Additionally, Director Liu has never tried to hide what was going on from us or the public, and apologized for any perceived misconduct in regard to the original contract.

"Mr. Speaker, when I did listen in on some of the discussion on this, it had a lot to do with basically how the Department and other departments have exercised the procurement process up until now. And not only within Governor Lingle's reign, but prior to that. Though this bill restrains to now require the State Procurement Office to perform random annual audits on all government agencies based on a pattern of non-compliance, this bill is still nothing but a vendetta gone too far. We should stop beating this horse already.

"If we're serious about making positive changes to improve the Procurement Code, then let's prove it by putting aside discontent or problems with individual agencies by attacking them through legislation based on a very specific issue, and start discussing the real issue of how can we improve the Procurement Code? Where do we need to be more stringent? Where are we too lax? Are annual random audits and mandatory staff training really necessary, and if so, why has it gotten to this point? These are the kinds of issues that we should be discussing when it comes to improving our Procurement Code, yet none of these questions came up.

"I would support a full-bodied and comprehensive approach toward improving procurement issues, however I don't think that this is it. I suggest that we hold this and the other related piecemeal procurement bills, and take it up again next Session with the full intention of making real changes. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2824, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," passed Final Reading by a vote of 42 ayes to 3 noes, with Representatives Finnegan, Marumoto and Meyer voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 117-08 and S.B. No. 3009, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3009, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to Senate Bill 3009, SD 2, HD 2, CD 1. And since I've spoken on this matter before, I'll make myself brief. I'm in opposition because this bill amends the Money Transmitters Act, Chapter 489D by providing for exemption from the Act for big financial institutions and allowing DCCA to increase the fees to an amount DCCA chooses to impose.

"This Administration bill will allow DCCA to hire four full-time positions to implement the Act. DCCA is well-known for empire building and enlarging government. DCCA was able to build new buildings out of the money they squeezed from small business. This bill is for insidious taxing of our most vulnerable citizens, the immigrants that can only transmit in small, but frequent amounts. This bill will force money transmitters to increase their fees to equal the charges asked for by big financial institutions. Even though one might argue that this will equal the playing field, it is done so on the back of immigrants and those who have family in the old country.

"This bill was only supported by DCCA and a lobbyist for those big financial institutions. I am really disappointed Mr. Speaker, that a measure such as this is passing out of our Chamber. We are Democrats, and are supposed to stand up for the little guys. Mr. Speaker, what the public will see today by passage of this bill is contrary to that perception. I ask my colleagues to stand up for small businesses such as the money transmitters. I also ask the Governor to redeem herself to the immigrants who voted for her, and a lot of them did. She even went to the Philippines before the election, and I ask her to veto this measure to redeem herself. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3009, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MONEY TRANSMITTERS," passed Final Reading by a vote of 43 ayes to 2 noes, with Representatives Bertram and Sonson voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

Representative Thielen rose, stating:

"Mr. Speaker, before we discuss Conference Committee Report No. 119, can we recess briefly so our Caucus can meet briefly? This is relating to transportation and it is the additional rental motor vehicle customer facility charges. I would like a recess for our Caucus to meet on that."

At 3:29 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:42 o'clock p.m., with the Speaker presiding.

At this time, the Chair announced:

"Members, we are on page 19 and at 3:25 p.m., the Senate has recessed for the day. They're all through for the day and have gone back to their respective offices. So at this time, we are on Conference Committee 119-08."

Conf. Com. Rep. No. 119-08 and S.B. No. 2365, SD 1, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2365, SD 1, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I think that in today's economy this is a very bad bill to let move forward. What it does is, it extends the tax on rental cars. Mr. Speaker, we may have declining tourism. It's not clear, but we know that we have a sensitive economy at this point, so it really is a new fee. It would be one thing if the industry were united saying, 'Please extend this tax and fee on people that rent our vehicles', but the industry is not united.

"I think it really is a bad message; we send out the message that once we impose a temporary tax. I mean, it is a tax. Don't believe that it's temporary. It will always be made permanent by this body. So I would like to encourage my colleagues to vote against this measure."

Representative Pine rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this bill. I was for this bill for most of the Session because it was an extension of a charge that was already in place and it would go to the Highway Fund. I didn't want to take money from the Highway Fund. However, since the Conference Committee met, there has been an additional $1 tax added, in addition to the extended tax of $3, and that was just too much for me to stomach, so I'm in opposition."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. Last year, when we extended the surcharge, I went along with it. I guess I was just sort of kidding myself that it was not a new tax. It's an old tax, and I knew that the Highway Fund was in dire need of more funds. But it was a tax that we created and we keep extending it out.

"But now in this bill, you've added the surcharge extension to the facilities charge; a brand new charge of $1 a day. So you're talking $4 a day for anybody who rents a car in the State of Hawaii. The Facilities Charge was contentious all the way through because you had different car rental companies, and about 50 percent wanted this, another 50 percent didn't want it. So they were not together. I think this bill shouldn't be passed for that reason alone, right now. I think CATRALA has to talk to them and see what they can work out. So I don't think we are ready to pass this bill. I certainly am not.

"Another problem I have with this is that it talks about appropriating $10 million for planning a new facility on Maui, in the Kahului Airport. The Kahului Airport has one of the better setups of most of the islands. The International Airport here on Oahu is far more in need of a centralized car rental place. I really object to certain parties making that a provision in this bill. I would hope that the majority of Members in this Chamber vote no on this bill."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, brief comments in opposition. Mr. Speaker as the previous speakers have indicated, I believe the timeliness of this is quite off. Except for this bill, we probably could have fulfilled the promise of no new taxes and no fee increases. But this one goes up now from $3 to $4. What I think the lesson that is being spoken here is that we should be careful that we don't do to the world what we've done to Japan.

"What I mean by that is when the Governor and some of us who accompanied her met with all the Japanese elite in tourism, the message that came across the table from them to us was, 'Don't take us for granted. Don't assume we're always going to come.' It was almost saying, 'Don't disrespect us'. But I think when we keep piling on fee after fee after fee, we're already at $4 on top of what otherwise the rentals are going to charge on top of the GET.

"We can't take business for granted because after a while Mr. Speaker, there are so many other destinations, there are so many competing places less expensive, of course not as beautiful us, but I think this is a caution. And as the Representative from Kaimuki/Kahala had said, tourism jobs are very important. This bill will jeopardize that. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Mr. Speaker I speak in favor of this measure. It should be noted that the result of this bill is a compromise measure between the various U-Drive operators. It wasn't crammed down anybody's throat. It was a compromise position.

"In regard to the International Airport where there is a need for some facilities, this is exactly what we're doing. The intent is to build a new facility to ensure that we'll be taking care of the international and domestic traveler.

"Now, as far as Maui is concerned, Maui Airport is one of the fastest growing airports and this is again, a compromise measure that came up.

"In regard to taxes it seems that my good friends across the aisle here choose and speak on the kind of taxes they want to pay. The Harbor Urbanization Plan will cost approximately $280 million that would entail fees being charged to raise that particular revenue. At the airport, the Governor just raised the landing fees, but so far there's not a squeak about that. And here we have this facility charge and we call it a tax. If you want to call it a tax, let's be consistent. They're all taxes then, if that's what you want to say. The Harbor tax which we all voted for will be raising fees to pay for that $380 million revenue bond. Airport landing fees increase to pay for the billions in improvements at the airport. Mr. Speaker, I just wanted to set the record straight. Thank you, very much."

Representative Nishimoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support and could I have the words of the Chairman of Transportation adopted as my own. I also have of couple of points.

"As air travel becomes more and more inconvenient for people, we really need to make the experience of coming to Hawaii more convenient. This facility will help do that. I think anything we can do to make it convenient for people, to encourage them to come back, I'm in favor of.

"Also the previous speaker from the other side of the aisle was right. There is a split in the industry about this bill, but that split comes because certain rental car companies do not have facilities at the airport. If they had a facility at the airport, they'd be in favor of it. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2365, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION," passed Final Reading by a vote of 35 ayes to 10 noes, with Representatives Belatti, Brower, Ching, Finnegan, Marumoto, McKelvey, Meyer, Pine, Thielen and Ward voting no, and with Representatives Cabanilla, Luke, Nakasone, Sagum, Saiki and Takai being excused.

At 3:53 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2652, SD 2, HD 2, CD 1

S.B. No. 2933, SD 2, HD 2, CD 1
S.B. No. 2768, SD 2, HD 1, CD 1
S.B. No. 2826, SD 2, HD 1, CD 1
S.B. No. 2824, SD 2, HD 1, CD 1
S.B. No. 3009, SD 2, HD 2, CD 1
S.B. No. 2365, SD 1, HD 1, CD 1

Conf. Com. Rep. No. 120-08 and S.B. No. 2663, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2663, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'd like my comments from Third Reading on this measure in opposition submitted in the Journal," and the Chair "so ordered." (By reference only.)

Representative Pine rose to speak in opposition to the measure, stating:

"On Conference Report No. 120, I wanted to note my opposition. It's similar to other bills, and basically this bill would restrict the Governor's ability to appoint who she believes is qualified on the Teacher Standards Board, a restriction that no other Governor before her had."

Representative Meyer rose to speak opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to that same measure. While this legislation claims that it is making clarifying changes to the nomination process of members to the Hawaii Teacher Standards Board, in reality it makes a significant change by limiting organizations that may nominate candidates as members on the Board to the Hawaii State Teachers Association union and the Hawaii Association of Independent Schools.

"This bill came about due to a dispute with the Senate Higher Education Committee and the Governor over the nomination of individuals to the Hawaii Teacher Standards Board. The Governor nominated individuals who were recommended by such organizations as the Charter School Network, School Community Councils, and the PTSAs. However the Chair of Education in the Senate believed the Governor was limited to names submitted by the HSTA. But the Attorney General came back with an opinion that said that she could use the names from the other organizations. As a result Mr. Speaker, this Legislation came about to limit the organizations that can submit names to the Governor.

"I have additional remarks that I will ask that I be able to insert in the Journal. Thank you."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition of this measure.

"Hawaii Teacher Standards Board was established to prescribe certification standards for public school teachers. The Board's membership includes licensed teachers and education officers (or school administrators including principals, vice-principals and professional employees), public charter schools, employed teachers and school administrators. Efforts to limit the organizations that can nominate Hawaii Teacher Standards Board members would do a disservice to the Board, to teachers and students, to the community, and to the various organizations that represent the teaching profession in Hawaii.

"Education is changing. Our school community has grown to encompass not only public schools, but private independent schools, parochial schools, charter schools, e-schools, and home schools. Given these changes, it is incumbent to ensure there are persons on the Hawaii Teacher Standards Board to represent the array of education organizations in Hawaii today. The Standards Board needs to adjust to the times.

"Instead of recognizing these changes and going forward, this legislation goes backwards by ensuring the board will be dominated by a public employee perspective, as opposed to a balanced spectrum of members with an interest in public education and expertise that would provide valuable contributions to Board deliberations. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2663, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII TEACHER STANDARDS BOARD," passed Final Reading by a vote of 43 ayes to 3 noes, with Representatives Finnegan, Meyer and Pine voting no, and with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 122-08 and S.B. No. 2041, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2041, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of SB 2041, HD1, CD1. Mr. Speaker,

"Approximately 80% of Hawaii's businesses are small with less than 20 employees, and these businesses in our community work to improve our State's economic climate fostering positive action on issues of common business concerns and health issues.

"This measure that we have before us appropriates funds to match federal funding for the disproportionate share of the hospital allowances.

"Quality healthcare is critical to the people and economy of Hawaii. As one of the largest private industries in Hawaii, the healthcare industry plays an important role in our economy, particularly through attractive, well-paying jobs and through the purchase of goods and services that contribute to our State's economy. As such, the healthcare industry plays a crucial role in the economic development and sustainability of our State and all of Hawaii's businesses. Also, Hawaii's healthcare system provides quality care for our families and serves to attract and retain a professional workforce, new companies, and even tourists to our state.

"However, the quality healthcare that Hawaii has enjoyed for years in now in jeopardy. It is on the verge of declining because healthcare providers are no longer being paid for essential services at a level sufficient to cover annually increasing costs. The healthcare system must be maintained and challenges must be addressed.

"Mr. Speaker, I urge the passage of this measure and I also ask my colleagues to do the same that will improve the quality of our healthcare system, legislation that will improve payments to healthcare providers of essential healthcare services and increase long-term care capacity and access statewide. Appropriating funds to match the federal funding which will give our state more "bang

for the buck" for the disproportionate share is the first step in the right direction to ameliorate the current state of healthcare in Hawaii. Thank you, Mr. Speaker."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in strong support of Senate Bill 2041 which provides a $5,774,340.00 appropriation of State general funds for hospitals to cover the actual costs of the care provided to uninsured residents in our State. These funds are required as a match to the $7,500,000.00 that has been secured by our federal congressional delegation. Combined, this funding will provide continuing healthcare to communities statewide at a time when rising healthcare costs is a concern to so many. I support Senate Bill 2041 as an expression of our commitment to ensuring that access to quality healthcare is available to our residents."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"Mr. Speaker, I stand in support of SB2041, HD1, CD1.

"The purpose of this Act is to meet rising healthcare costs and to ensure that Hawaii residents have continued access to quality health care by appropriating funds for the State's portion of the federal disproportionate share hospital allowance.

"Providing health care to our State's most vulnerable population has always been a paramount concern for all of us. To ensure the delivery of these basic healthcare services, funding is necessary. In so doing, State funds are needed to match the federal Medicaid disproportionate hospital appropriation of S7,500,000. For this, I support the appropriation of the amount of approximately $5,777,340 out of the general revenues of the State of Hawaii which represents the State's portion of the federal disproportionate share hospital allowance.

"Today we are spending general revenue funds for a most worthy cause, to provide healthcare for the people of Hawaii.

"I urge members to support this measure, because I believe healthcare should be a right and not a privilege. Thank you, Mr. Speaker."

Representative Green rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support with real brief spoken comments. This is a bill that appropriates $5.7 million of State money, and has a match of $7.5 million in federal money. It will go a long way to stabilize our healthcare system and support our hospitals in need. Thank you, Mr. Speaker."

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support of Senate Bill No. 2041, House Draft 1, Conference Draft 1, Relating to Health. This measure would help to alleviate reimbursement shortfalls sustained by Hawaii hospitals that treat Medicaid and Med-Quest patients by appropriating $5,774,340 as the State match necessary to secure $7,500,000 worth of federal funding. Senator Daniel K. Akaka deserves much credit for obtaining the federal funding for Hawaii. Support for this measure has come from the Queen's Medical Center, Hawaii Pacific Health, Kaiser Permanente Hawaii, Healthcare Association of Hawaii, the Chamber of Commerce of Hawaii, and Rehabilitation Services of Hawaii.

"It has been estimated by Hawaii Pacific Health that Hawaii hospitals lose 20 cents on every $1.00 spent to provide care for a Med-Quest patient and 21 cents on every $1.00 spent to provide care for a Medicare patient. As such, this combined $13,274,340 worth of funding for Hawaii's hospitals will do much to supplement ultimately inadequate Medicaid and Medicare reimbursements and help ensure our hospitals' ability to care for the needy residents of our State. Increasing reimbursements also address one of the reason doctors are leaving the State or leaving rural community practices.

"I urge everyone's support."

Representative Meyer rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support and would like to thank the Chair of Finance as this was one that the measures that the Finance Committee was looking at and wondering if they had enough money for. It is very important. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2041, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 46 ayes, with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 123-08 and S.B. No. 1526, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1526, SD 2, HD 3, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising to speak against this bill. This bill would actually permit administrators' salaries in the Judiciary to be higher than the Governor's salary. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1526, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUDICIARY," passed Final Reading by a vote of 45 ayes to 1 no, with Representative Thielen voting no, and with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 124-08 and S.B. No. 2218, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2218, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"In support of SB2218, SD1, HD2, CD1.

"We recently had the murder/suicide that has rocked our community. Janel Tupuola, 29 year old, was bludgeoned to death by the butt of a shotgun on January 16, 2008.

"This bill provides enhanced protections for victims of domestic abuse by clarifying court-defined geographic exclusionary zones and to order the defendant to wear a global satellite tracking device. The court may order the defendant to pay the monthly costs or portion thereof for the electronic monitoring.

"It's true the appropriation section was deleted in this measure. If the defendant is indigent, the court may have to seriously consider not ordering the defendant to wear the tracking device.

"If we can identify major points to deal with now and work with our departments and law enforcement agencies on effective solutions, then I think we will at least be moving forward and in the right direction. On the other hand, to do nothing would simply be unacceptable."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2218, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC MONITORING," passed Final Reading by a vote of 46 ayes, with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 126-08 and H.B. No. 3178, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 3178, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIVIL PENALTIES FOR VIOLATIONS ON PUBLIC LANDS," passed Final Reading by a vote of 46 ayes, with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

Conf. Com. Rep. No. 127-08 and H.B. No. 2438, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2438, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CIGARETTES," passed Final Reading by a vote of 46 ayes, with Representatives Cabanilla, Nakasone, Sagum, Saiki and Takai being excused.

At 3:59 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2663, SD 2, HD 2, CD 1
S.B. No. 2041, HD 1, CD 1
S.B. No. 1526, SD 2, HD 3, CD 1
S.B. No. 2218, SD 1, HD 2, CD 1
H.B. No. 3178, SD 2, CD 1
H.B. No. 2438, HD 2, SD 2, CD 1

At 3:59 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 3:59 o'clock p.m.

Conf. Com. Rep. No. 129-08 and H.B. No. 2978, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2978, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you very much, Mr. Speaker. I'm rising in opposition to this measure. This is the bill dealing with the University of Hawaii budgeting. For starters, I find this measure is duplicative of work already underway by the University. The University of Hawaii is already working on developing a long-term financial plan that includes base operating funds, CIP funding, and incentive performance funding linked to measurable outcomes. They have even reported on their efforts and have posted these reports online for all to see.

"A troublesome aspect of this measure is the establishment of a task force to assist the University in developing a budgetary system and a funding formula. This formula is to be linked to the enrollment of full-time equivalent students at each campus and the assignment of different weights in recognition of the very costs in revenues relating to educating different categories of students. The stated purpose for this is to ensure an equitable, consistent and responsible funding formula for the distribution of fiscal resources to the various University of Hawaii campuses.

"Mr. Speaker, it appears to me that we are asking for the creation of a weighted student formula for the University of Hawaii. We still have not ironed out all the difficulties with the weighted student formula in the DOE and it's been something like four or five years. Why would we want to transfer it to the University of Hawaii?

"Moreover, it appears to be encroaching on the University of Hawaii's autonomy. The University has their own budget. Why do we have Regents if we have to pass legislation like this? Thank you."

Representative Takai rose to speak in support of the measure, stating:

"Thank you. On the same measure, in support. I just wanted to provide a different perspective to the Representative that just spoke and tell her my reasons for supporting this effort to assist the University in helping them come up with a funding formula.

"In 1995 when we came into Session Mr. Speaker, our economy was in the dumps. In fact the University, from my perspective, 'took it on the chin' when we passed Act 161, which gave the University our first attempt at a funding formula but at the same time gave the University the opportunity to raise and keep it's own tuition funds for the first time ever. So we have a situation now where our University system not only depends on general funds from the Legislature, and the Executive Branch from the Governor, but it also depends on tuition revenues from its students. It's a far cry different from the DOE system where the weighted student formula is specifically based on the general fund support from the State.

"I think the reason why this is critical is because when the State, not if, but when the State enters into a downturn in the economy, we need to be prudent on our side and we need to provide a commitment to the University so that they know where their funding levels will be despite downturns in the economy. They don't want to, and I don't want to see a repeat of the late 1990s when on the one hand, we decreased general fund support, and on the other hand they increased significantly the tuition charged to students.

"So I think this is a good step forward. It is nothing new. In fact, we have learned that the university systems in California have a funding formula, and there are other university systems throughout the nation that have funding formulas. I think it's high time that we in Hawaii, working with the University of Hawaii system, come up with a funding formula that both they and we can agree on. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2978, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes to 2 noes, with Representatives Marumoto and Meyer voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 130-08 and H.B. No. 2972, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2972, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Rhoads rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I am in support with reservations. It is with reluctance that I support this, but it does seem to me that if the Board of Education isn't going to do anything, then sooner or later somebody needs to. Mahalo."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, I would like to have a no vote cast for me against this bill. Mr. Speaker, what this bill ultimately will do is result in the closing of schools with smaller student populations. Mr. Speaker, I think study after study, at least for the elementary school level, have shown that if your school is smaller, if you have a smaller student population in elementary school, your students will do better. This bill takes the approach that if there's a small student population then we'll close it and put those students into another school.

"You'll find elementary schools with up to 1,000 students. That's the size of some small colleges, and the students don't do as well. Then the school struggles to have a school within a school, and that really is a bit convoluted. I don't think this is a good way to go. I think we shouldn't say that small is bad. I think we should say that small in education can really result in well-educated students."

Representative Herkes rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in very strong support. If you look at my district, no legislator is going to say, 'I think we ought to close Hookena School. If you look at my district where you have 40 miles between Naalehu School and Hookena School, and so you have kindergarten students going 30 miles to school. Then you have another school five miles later, and another school another five miles. We need a complete realignment of all of the schools in my district to make sure that as the population shift changes, that we change the schools with them. Ka'u High School for example, is probably way over-built. Naalehu School is way under-built.

"So I think it's not a matter of how many students are in the school. I think it's a matter of where the schools are in relation to the population. So I'm in strong support."

Representative Takumi rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. I am in support. To address the concern expressed by the Representative from the Windward side, I guess it's sort of like answering the existentialist question: What is small? There is small, and there is tiny. Most schools are built for 400 students, and have only 67 students.

"Study after study has shown that there is an optimum size for elementary, middle and high schools, but some of these schools are very small. Besides the fact that if you were to design small schools in our State, you would do it in a very deliberate, conscious manner.

"For example if I could wave a magic wand, I would design smaller schools in Kalihi, or Waimanalo, or the Leeward Coast, because we know that that would have the biggest impact in that constituency group. You wouldn't necessarily build really small, really tiny schools in very affluent communities.

"Secondly, we're presupposing what the Alignment Commission will come up with. I say give it a chance, and we'll see, for those of us who are here in the 2011 Session, what they come up with. Thank you, Mr. Speaker."

Representative Souki rose to speak in opposition to the measure, stating:

"Mr. Speaker, unfortunately I will vote against this measure. I am not opposed to an Alignment Commission. I think it might be necessary or possibly necessary, but if there is an appointment to be made, it should be made by the Board of Education and not by this body. We have a habit of continuing to micromanage the Department of Education. I believe we should turn this responsibility to them. It should be their responsibility. If they feel that they're not capable of closing the schools down, or merging the schools, then they themselves should be calling for a task force and not this body. Thank you, very much."

Representative Lee rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support. I just wanted to comment on the fact that the school size doesn't necessarily mean that the students are going to do better. I'd like to cite Mililani Ike School in Mililani Mauka which has 1,200 students, and sits at the very top in terms of test results. So there are a lot of factors that affect this as the Chair of Education said, and I think it needs to be handled on a one-by-one basis. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support with some minor reservations. I do think that when we consider closing schools, we do have to understand that these are parts of the larger urban or residential community, and what is in a population right now in this decade may change. So I ask that the words of the Representative of Kailua be entered as my own."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2972, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 46 ayes to 4 noes, with Representatives McKelvey, Souki, Takamine and Thielen voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 132-08 and H.B. No. 661, HD 1, SD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 661, HD 1, SD 3, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Herkes rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker. I support with some very serious concerns. Philosophically, you can say, 'Isn't this wonderful. We're

going to have public funding for elections. We're going to take politics out of it. We're going to take the contributors out of it.' But the problem with the Hawaii County Council is that each member has a 'slush fund' of $300,000 per year, each of them. That's $2,700,000 per year, that they can go out and buy votes with.

"Mr. Speaker, you remember that in the old days, Senators had $1 million here, and the Representatives had $500,000. But those monies had to be released by the Governor. Not the case of the Hawaii County Council. A lot of us have faced this. Someone in the community said, 'Why aren't you supporting this project because the Chair of the Hawaii County Council gave us $10,000.' In my own case, I had the seniors at Pahala asking if I could contribute to buy a pool table for them. I said that I was limited under the Campaign Spending rules about what I can send them. I sent a check for $100 and they sent it back to me and said, 'Don't worry about it. The Councilmember is going to pay for the whole thing.'

"And then you take the Senator from the First District who's running for Mayor against two Council members. They're $600,000 ahead of her in just less than one year. So what I say is, if they believe philosophically in cleaning up the rich, they should instead be cleaning up their own act."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support with a brief comment. I really respect the comments of the previous speaker, and I think that is a good caution to all clean or good government advocates, to realize that any kind of reform is not the end all and be all of assuring good government. However, I do believe that this bill was a long time in the making.

"Mr. Speaker, I can remember I think over almost 10 years ago, when I was sitting on the Campaign Spending Commission and we were talking about this very reform. It is a very good day for me to see this come to fruition and I really appreciate the approach that is being taken by both the House and the Senate in adopting a pilot program so we can see if comprehensive public financing will truly work and if it will not break the bank.

"With that said, one other thing I'd like to comment on is that something I've learned over the past two years is that legislation is a lot about compromise. I will acknowledge that there are some things in this bill that I don't like, but I think in the effort of advancing good bills, and again good legislation is about compromise. I appreciate the work that was done on this bill by the Members of the Conference Committee, by the Judiciary Chair, and by the Members of this House. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I came into this Chamber in support of this bill and we're often accused of having our minds made up and our votes made up prior to the voting. But what I've heard on the Floor is rather disturbing in regard to are we being set up to support a 'slush fund'. I really have been very surprised by the fact that there's $300,000 under the incumbents' control of which if we're going to give more public money to more incumbents to get more ingrained, rather than encouraging those on the outside. Or perhaps I've misunderstood, but I find this very alarming, what this 'pilot', this exemplary County of Hawaii is doing with this particular bill. So I hope those from the Big Island will enlighten us colleagues who are not from the Big Island. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Mr. Speaker, I'm rising in opposition to this measure. For starters the Hawaii Constitution, Article II, Section 5, only permits partial public financing. This program provides for full public financing, which the Constitution does not authorize. The present Director of the Campaign Spending Office is not in favor of this bill. There are parts of it she is for. Some of the higher penalties that people don't report, just for that, but comprehensive public financing she does not support.

"And doubling the amount of community contributions, she is opposed to. I mean, part of the argument for public funding is that theoretically, people that give you money are buying influence. Well, if you're doubling the community contributions, of course I guess if they're your constituents, you should listen to them, and of course we do. But I don't just listen to the people that donate to my campaign. They're my constituents and they're number one. I think that if we're going to make the public pay to the tune of about $300,000, not everybody in the public would want to support those Council people on the Big Island. This money is not coming from the Big Island. It's coming from all over the State. So I think that given what the Constitution says now, we really, before we pass a bill like this, we should change Article II, Section 5, and talk about total public funding. Thank you."

Representative B. Oshiro rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support. I just wanted to clarify I think one of the characterizations about the Constitution. The Constitution in Article II, Section 5 says, 'The Legislature shall establish a campaign fund to be used for partial public funding or financing of campaigns for public office of the State and its political subdivisions as provided by law.' All that says is that we shall provide for a partial public funding system, which has been done already. But just because it says what shall be done as the directive, that nowhere, anywhere does that prohibit another program from being created. According to that, construed or very misguided interpretation of the Constitution, we only would be able pass laws that are specifically stated in the Constitution. That's not what the Constitution is about. The Constitution gives us a directive, gives us a floor, and that is what we have to follow. But the Legislature is still the one that determines public policy, and so that is what we're doing in House Bill 661.

"I think the advocates have done a very, very good job in terms of garnering the support of the Big Island County Council and passing the resolution with some overwhelming support to demonstrate that they want to take on this pilot project and this endeavor. And given that willingness, and the unwillingness as we've seen in our own Legislature to do it, I think this is a great place to start and it's for those reasons that I support this bill. Thank you."

Representative Belatti rose to respond, stating:

"Thank you, Mr. Speaker. In brief rebuttal. I think that this bill will pass Constitutional muster. If you look at the details of the bill, there is a process whereby candidates have to receive qualifying contributions in order to qualify for the comprehensive public financing. So it is in fact a partial public financing system because the candidates rely on other donations. Thank you, Mr. Speaker."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. I have just a few other things I want to bring out. It's like we're going to pass this public funding when we're not sure we can afford it. The public has not weighed in on this issue. According to Guidestar.org, a nonprofit report, Clean Elections is composed of about 6 to 10 people. Clean Elections points to successes at increasing the number of candidates in Maine, Connecticut and Arizona. Maine does not have enough money for its 2010 Clean Elections and is asking for an appropriation. Connecticut's budget was $15 million in 2006, $30 million in 2007 and projected at $45 million in 2008. And they had

to increase their staff from 7 to 27 because of the increase in candidates and thus the need for more auditors and other staff. Arizona's 2008 budget was $40 million. Clean elections programs in Massachusetts and Kentucky have ended due to the cost; they couldn't afford it. We currently have $5.4 million in the Hawaii Election Campaign Fund and about $190,000 to $200,000 coming from the tax check-off. The whole point of this I think it should go before the voters because this could turn into a very expensive program and the public is not weighing in. Thank you."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 661, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN SPENDING," passed Final Reading by a vote of 49 ayes to 1 no, with Representative Meyer voting no, and with Representative Nakasone being excused.

Conf. Com. Rep. No. 138-08 and H.B. No. 2739, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2739, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support of Conference Committee Report No. 138, House Bill 2739, HD 1, SD 2, CD 1. Mr. Speaker, Enterprise Zones are a valid means to stimulate growth in frontier economies. In recent years, the Legislature has sought to provide stimulus through this tool in areas such as Kapolei. Kapolei, the New City and relief district for urban pressure, has been given Enterprise Zone status with the intent of nurturing such growth. Although well-intentioned, some of the provisions of the Enterprise Zones designations have proved cumbersome in some instances and discouraging in others.

"The current law provides for a mandatory 10 percent increase in workforce to qualify for the declining tax credit. With our low unemployment rate and extensive background reviews in mind, this bill will allow a 3 year respite from the workforce increase requirement. This bill will give young businesses and satellite offices of established businesses the time they need to get on their feet and find qualified employees. In keeping with the intent of the original legislation beyond the 3 initial years, a business will be asked to provide proof of workforce increase at a more significant level, namely 15 percent. As such, this measure will continue to create the jobs Enterprise Zones were designed for while providing businesses with a time incentive to invest in these zones.

"Finally, I want to thank the Chair of the Committee on Economic Development and Business Concerns for taking the initiative to amend the State Enterprise Zone law to make it more palatable with the hope that it will achieve its intended objective. Thank you, Mr. Speaker."

Representative Magaoay rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of HB 2739, HD1, SD2, CD1. Mr. Speaker, the measure we have before us amends the eligibility requirements of an Enterprise Zone to include the processing of agricultural products. It should be remembered that in recent years, the type of businesses that have been included to receive Enterprise Zone benefits include: call centers of disease management services; sale of wind farms generated electricity sold to a public utility; and research, development and sale of genetically engineered medical, agricultural, or maritime biotechnology. The proposed measure would be singling out another business for preferential treatment merely conferring preferences for those businesses at the expense of all other taxpayers.

"It should be remembered that Enterprise Zones merely exacerbate what is already considered a poor climate in which to do business. Singling out specific areas of the State merely confers preferences for those businesses located within those geographic areas at the expense of all other taxpayers who are not so favored. It should be remembered that those taxpayers who live and work in the Zone will demand the same public services as those who are not as fortunate to be located in the zone. Who then will pay for these services?

"Concurrent efforts must be made to improve Hawaii's business climate to enhance the economic prospects for all businesses. Enterprise zones are merely an abdication of government's responsibility to create a nurturing and supportive business climate so that all businesses can thrive in Hawaii and provide the jobs the people of Hawaii need.

"Finally Mr. Speaker, while Hawaii has had the Enterprise Zone concept on the books for years, no evaluation of how effective these Zones have been in improving the well-being of those communities on which this status has been conferred. Before further corrupting the economic marketplace with added versions of the Enterprise Zone concept, an evaluation of the current Zones should be undertaken. Instead of expanding the Enterprise Zone program, the program should be repealed in favor of across-the-board tax relief for all businesses in Hawaii. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2739, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE ENTERPRISE ZONES," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 152-08 and S.B. No. 2878, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2878, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support on Senate Bill 2878, SD 2, HD 2, CD 1. I rise in strong support of this legislation. Early childhood education experts say that the earlier children begin learning, the better they perform once they reach kindergarten. They also say that early education reduces drop out rates, boosts test scores and ensures success beyond school. I would like to congratulate the people who helped make this possible because they deserve our kudos. This truly important piece of legislation that we're passing today, although it has budgetary limitations which limited our ability to fully get this program started, is still very important because it gives us a starting point, it gives us a direction to follow that will help us to institute a high quality education system.

"In the words of Bob Peters, the Co-Chairman of the Legislature's Early Learning Education Task Force and head of Hanahaouli Schools, he says, 'We knew it was going to be difficult for the kind of funding we would like to have, but the establishment of the Early Learning Council is key to taking the First Step Program and this will begin the creation of the system.

"Right now, 80 percent of our current public school kindergarten classes do not have most of their students displaying the necessary skills within the first month of kindergarten. In the words of Bob Midkiff of the Good Beginnings Alliance, that is why we need to make a stand now. Forty other states already have some type of publically-funded early childhood education program in their state and now it's time for Hawaii to join them in educating our youngest students. Early childhood education is so important and we want to ensure that we have a quality system, and that the money goes toward technical assistance for those programs that need to increase the education of their teachers and associate teachers, says the interim of Good Beginnings Alliance.

"Mr. Speaker, I look forward to having this Council continue their good, and I really hope that they will continue to consider the contributions of the private school educators because here in Hawaii we have the highest rate of people who send their kids to private school. And so we hope that the standards will continue to be high because that's what our children deserve. Thank you, Mr. Speaker."

Representative Mizuno rose in support of the measure and asked that the remarks of Representative Ching be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of SB 2878 CD1. This bill culminates four years of dedicated work by your Majority Members and the Chair and Vice Chair of the Education Committee to establish the statutory framework for an early learning system in the State of Hawaii.

"When we reflect back at how this measure was conceived, we must turn back two years and to the Regular Session of 2005, where the freshmen Democrats, Rep. Pono Chong, Rep. Lyla Berg, Rep. Clift Tsuji, Rep. Mele Carroll, Rep. Ryan Yamane, Rep. Kyle Yamashita, Rep. Kam Tanaka, Rep. Rida Cabanilla, and Rep. Josh Green included House Bill No. 1300 as part of the Majority Package for that year. It is their foresight and deliberation that set us on the path that brings us to where we are today. That bill, which was enacted as Act 151, Session Laws of Hawaii 2005, established an early childhood education task force to:

(1) Develop a framework to increase access to early childhood education;
(2) Improve the quality of early childhood learning programs;
(3) Support the professional development of early childhood educators and service providers;
(4) Educate families about the value of early childhood education; and
(5) Identify funding mechanisms to appropriately compensate early childhood educators.

"With the assistance of the Hawaii Educational Policy Center, and under the guidance of the House and Senate Education Committees, the Task Force developed recommendations on the provision of high-quality learning opportunities for children from birth to age 5, the age in which children enter kindergarten.

"The recommendations offered, though costly, envisioned a system in which every child would have access to educational and human services that would allow them to reach their full potential. Given our limitations in fiscal resources, we are not able to implement these recommendations in their entirety. I do believe, however, that the bill before us goes far toward asserting this noble public policy.

"Mr. Speaker, Senate Bill No. 2878, Conference Draft 1, asserts the same principles which your Majority Members have long held dear – ambitious beliefs that we can create a better way of life for our people.

"When we first embarked on this 2008 Regular Session, the Majority Leader and my colleague from Waipahu reminded us all of the words of Senator Nadao Yoshinaga – that we must not be afraid to dream big. Mr. Speaker, with the bill before us, I believe your Majority Members are bravely looking toward a better and brighter future, the same way our predecessors did when they enacted the Prepaid Health Care Act, or comprehensive workers compensation reform, or preserved a woman's right to choose.

"As a member of your Majority, Mr. Speaker, I am proud to support this bill and commend the Majority Leader, and the Chair and Vice Chair of your Education Committee for successfully shepherding this important bill through the legislative process.

"I respectfully urge my colleagues to support this important measure. Thank you."

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"I stand in support of SB2878. Hawaii is now one of the last states in the nation to design and implement an early learning system. However, it is never too late to begin and we can only benefit from lessons learned and best practices developed in other states.

"The research is compelling; children who attend preschool or other early education programs have better cognitive, verbal and social development and enter kindergarten better prepared. They are also less likely to exhibit later delinquency and antisocial behavior, tend to demonstrate higher levels of school achievement and better social adjustment, and are more likely to graduate from high school. A recent study on the Oklahoma universal pre-K program (available to all 4-year-olds) in 2003 showed that low-income students improved test scores 26 percent, with Hispanic students having the greatest improvement with a gain of 54 percent.

"Economically, investing in human capital yields greater long-term benefits than any tax credit or subsidy that we typically hand out to developers and businesses. The Federal Reserve Bank of Minneapolis published a report in December 2004 that asserts there is an extraordinary public return on investing in early childhood development. One study cited showed that the total benefit cost-ratio was $17 for every dollar invested. In other words, funds that go into establishing these programs ultimately prove to be an investment as savings amass from a reduction in crime and welfare payments and an increase in economic productivity.

"The measure before us will establish an Early Learning Council (ELC). The ELC will develop the Keiki First Steps program to create a coherent, comprehensive, and sustainable early learning system that ensures a continuum of quality early learning opportunities for young children from birth to age five. As recommended by the Act 259 Task Force, the Keiki First Steps program will have the components of a high-quality program and will be flexible to family choice and cultural elements.

"The goal of the Keiki First Steps program is to be universally accessible. In its beginning phases, the program will focus on all 3- and 4-year old children, giving priority to "at-risk", under-served, low-income, and other high-risk families. Initially, the program will strive to serve those from families with gross income not exceeding 250 percent of the Federal Poverty Level (FPL). In

Hawaii, this would mean a family of four would qualify if their gross income does not exceed $59,375 a year.

"Investing in early childhood education makes good education sense, good economic sense and good policy sense."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2878, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EARLY LEARNING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 155-08 and S.B. No. 2830, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2830, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure, in strong support and written comments in the Journal. But personally I'd like to thank you Mr. Speaker, and also the Finance Chair, and also both sides for assisting in this worthwhile measure. Thank you."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, I rise in support of SB 2830, SD2, HD2, CD1.

"Mr. Speaker, the measure we have before us addresses the increase of reimbursement rates for domiciliary care provided in licensed developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, and adult residential care homes.

"At present, Level I caregivers provide 24/7 care, 365 days a year for a flat-rate of $1,200 per month, which calculates to approximately $42 per day or $1.67 per hour. The plight of caregivers covered by this bill can be characterized as deplorable.

"The skyrocketing costs of providing care to the elderly and disabled make it nearly impossible to operate. Caregivers must pay their mortgage for their homes, most of which are used by the residents. Caregivers must also pay for electricity, water, and sewer costs that residents use; for property taxes, general excise taxes, and income taxes; for food and kitchen services, bathrooms, and laundry supplies consumed by residents; for their cars and gasoline used to bring their residents to the doctor; for the insurance they are required to carry; for any entertainment they are expected to provide their residents. How do you stretch $1.67 for all of these costs and still make a living?

"This dire situation forces caregivers to live by their wits having to fend for their own health insurance, retirement savings, and other fringe benefits employees sometimes take for granted. Many cannot afford to purchase medical insurance for their family, which now averages $1,000 per month. Ironically, the residents who they care for have medical insurance provided free of cost courtesy of the government.

"Caregivers have little or no privacy and must make financial sacrifices to even leave their own homes. 24-hour care literally means 24-hour care. To even leave their homes, caregivers must use part of the $1.67 per hour they earn to pay substitutes who earn an average of $10 per hour. Caregivers have no vacation, no sick leave, funeral leave, jury leave or any other fringe benefits. And we wonder why almost all caregivers are immigrants and/or elderly. And we wonder why no students in our schools today are saying, "I want to grow up to be a care home operator."

"Notwithstanding the lack of financial incentives, caregivers tirelessly provide personalized virtual one-on-one, hands-on care to their residents. On a daily basis, caregivers prepare menus and cook meals for their residents that are mandated by the State; they clean the house so that they can meet stringent standards of cleanliness; they bathe their residents; they help residents use the bathroom; they dress their residents; they take their residents to medical appointments; they make sure that residents take their medicine; they do the laundry soiled by their residents; and after all this, they entertain their residents and help their residents preserve their dignity by giving them the feeling that they still belong in the community.

"Sadly, even after caregivers take their residents in and treat them as members of their own family, residents sometimes become combative and verbally abusive to their caregivers. Some of them hit or spit at their caregivers. At the same time, the State hovers over the caregivers looking for any sign of abuse or neglect. When a resident loses weight, the State accuses caregivers of not feeding their residents. When a resident gains weight, the State screams improper nutrition. Little do people realize that caregivers comprise an integral part of Hawaii's healthcare system. In hospital terminology, HCCG's members have a total of about 4,000 "beds". What happens if these beds vanished because caregivers could no longer operate making $1.67 per hour? Where would these residents go? What would the State do? Should the State send them to nursing homes that charge an average of $7,000 per month per resident as opposed to $1,200 in a care home? Who would pay for this?

"A 7% raise would bring Type I hourly rates to $1.78 per hour as opposed to $1.67, far short of minimum wage, which is now $7.25 per hour. Nevertheless, 7% would go a long way to encouraging caregivers to continue to provide a service which the State cannot go without. It would be the first step in ensuring this industry survives. Some may say, caregivers got a $1.00/month raise a few years ago. Prior to 2006, however, caregivers did not receive a raise for about 10 years. Others may cite the shrinking State budget.

"Sometimes, however, we must make difficult choices by looking at the necessity and value of the service caregivers provide relative to other competing interests. HCCG urges lawmakers to make the policy decision that will show the care giving industry that lawmakers value their services and that they care about providing home and community based care to the elderly and disabled. Hospitals and nursing homes do not have the capacity.

"Food for thought Mr. Speaker: We will all grow old at some point. Where will we go? Thank you, Mr. Speaker."

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support for Conference Committee Report 155-08. Mr. Speaker, by the year of 2020, one in four individuals will be age 60 years or older in Hawaii. Caregiving now has become such a critical element in our healthcare system. Our caregivers are essential to our *kupuna* and our disabled. So important are caregivers that the Director of the State Executive Office on Aging has stated that, 'Caregivers are the backbone of our long-term care system. Caregivers in Hawaii should be recognized, supported and valued by the community.'

"This measure provides funding for the Kupuna Care Program and a pay increase to our care home operators. These care home operators include adult residential care homes, licensed developmental disability homes, community care foster homes, and certified adult foster homes. This also helps address a very important issue that's hurting our State hospitals, Mr. Speaker. There is no dispute that our hospitals in Hawaii are losing approximately $90 million annually because they have an acute

care bed shortage. This means that on any given day there is a shortage of acute bed care space of between 200 and 275 in hospitals, statewide. The cause is that many of these patients in acute care bed spaces are medically ready to leave the hospital, but they don't have a place to go, Mr. Speaker.

"Furthermore many of these patients who are medically ready to transfer out of acute care bed space have nowhere to go. The terrible thing about it Mr. Speaker, is that many of these patients are then transferred to the mainland. They're shipped off like cattle. As a state we should not condone this practice of sending our people, our *kupuna* and our disabled, to the mainland. This is the solution, to allow those patients who are medically ready to transfer out of acute care from our hospitals to move to a care home or care home setting, with requisite skill level for their needs.

"According to the Hawaii Coalition of Care Givers, 800 bed spaces await them. These 800 bed spaces will easily meet the demand of those 200 or 275 acute care patients that are medically ready to leave our hospitals. Again, this also addresses three important issues. This will save the State hospitals money. We're talking again, maybe a sum of about $90 million a year. In addition, this will allow our *kupuna* and our disabled to reside in a community home setting compared to an institution. And finally this will stop the practice of sending our *kupuna* or disabled to the mainland.

"The appropriation amount in this bill is $289,000 for the pay increases of our care home operators, however its impact is greater than any monetary sum because this measure has empowered our care home operators and provides a firm commitment that the State of Hawaii recognizes and supports their hard work. May the Journal reflect the steadfast commitment by Mila Medallon who represented the care home operators and became a fixture at the Capitol in the final week of Conference. She truly was part of the legislative process. When I asked Ms. Medallon why she's doing this because she doesn't even own a care home in Hawaii, her reply was simply because it's the right thing to do. Her fingerprints are on this bill.

"I would also like to thank the House Chairs of the Health and the Human Services Committees for their support, the caregivers' pay raise, and for the Senate. I respectfully note the support we received when the Senate Chair of Human Services and approval of the WAM Chair for this measure.

"Finally, I want to thank you Mr. Speaker, you and the Chair of our Finance Committee, because we needed and we received more support and approval which allowed the care home operators to secure their pay increase in this bill. Please know that both your and the Finance Chair's support has reached throughout the community, not only for care home operators, but for the care of *kupuna*, for the care of our disabled, and to reduce the millions of dollars expended by hospitals in our State given the acute care bed shortage issue. Thank you, Mr. Speaker."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Mizuno be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure and asked that the remarks of Representative Mizuno be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Pine rose in support of the measure and asked that the remarks of Representative Mizuno be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Lee rose to speak in support of the measure, stating:

"I rise in support of this measure. Mr. Speaker, family caregiving is a complex issue that is just beginning to be addressed and that's essentially what this bill is about. Although I know we passed some important amendments to the bill to provide a pay raise for care home operators, the bill really is about the family caregiver and the Joint Legislative Committee on Family Caregiving. By extending the term of the Joint Legislative Committee on Family Caregiving, which is the major part of this bill, as well as renaming the Committee as a Joint Legislative Committee on Aging in Place, we will continue to study the issue and make recommended changes in public policy for the future.

"The Joint Legislative Committee was created in 2007 when it became apparent there was growing need for greater support to family caregivers. This bill will help us to refine the many proposals needed to keep caregivers doing what they are doing for their own family members at home. These caregivers are a tremendous economic asset to this State. These are unpaid caregivers. The $500,000 appropriated to expand the *kupuna* care program will help the families on the waiting list for *kupuna* care. But family caregivers can't do it all alone. They need help and support. Despite the appropriation for *kupuna* care, many will still seek the services offered by homecare agencies which provide respite, chore and bath services. However, these agencies will remain unlicensed for now, despite legislation which passed out this year and then disappeared. Families need the assurances they are dealing with legitimate, safe and professional workers before they entrust their loved ones into their care. Let's hope this measure will be revived and passed next Session.

"I'm looking forward to working on the Joint Legislative Committee in the coming year and to help our family caregivers and our paid caregivers help care for our *kupuna* into the future. Thank you."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support with brief comments. I want to really commend the previous speaker on how she has taken leadership of the Joint Legislative Committee and, along with Senate counterparts, shepherded some important pieces of policy through the legislative process. I think the care with which they engaged the advocates in the community, the care with which they talked to the service providers, and the way in which they've engaged the academic community as well, has really been a demonstration of what we can do as a legislative body.

"I really appreciate the work that they do, the modeling they do as far as good legislation, and I look forward to the work to come, especially the task force that's going to be coming out of this measure, which is going to look at and focus on the needs and issues of grandparents raising grandchildren, as well as the cash and counseling project that they will be exploring as well. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I rise in support with reservations on this matter. Although I'm grateful to all the people that have supported the passage of this bill, I consider the appropriations that they were able to get so minute in comparison to the contributions that they provide our State. The $250,000 for care homes and foster homes, and $500,000 for family caregiving. I believe that we should enhance those appropriations to those that give direct care to those people that provide hands-on help.

"We have appropriated larger amounts of monies to committees, commissions, study groups, task forces and administrative support,

than we have given those dealing with the elderly. And I think that we should start thinking more about taking care of those direct-care providers. I'm grateful for this appropriation Mr. Speaker, but I think that we could have done better. Thank you."

Representative Yamane rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in strong support. Mr. Speaker, just brief comments that I am glad this project was able to receive continued funding. I think it needs to be highlighted that the care of the future will include these necessary services due to costs that more families will be faced with. These types of care home operations are the wave of the future for our families.

"Mr. Speaker, I will probably be there in a few decades, and I am confident that with the strides that we make, and the people that are in these homes caring for our families, that we need to make this a focus for the upcoming years. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2830, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CAREGIVING," passed Final Reading by a vote of 50 ayes, with Representative Nakasone being excused.

Conf. Com. Rep. No. 158-08 and S.B. No. 2314, SD 1, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2314, SD 1, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in opposition to Senate Bill 2314, Conference Draft 1. As I explained earlier on the previous vote on this measure, I believe it weakens our State's anti-bundling provisions of the Insurance Code at the expense of consumers. This bill still forces consumers to purchase one product as a prerequisite for buying another product that they may not want or need if the seller of the product has only a limited market share.

"Advocates of this bill may argue that this enables more affordable insurance products for small businesses. However, nothing now prevents sellers of insurance, as an incentive, to package and price their products together in order to provide a more cost-effective product that consumers may choose to buy. What is not allowed under the current law is tying or bundling products together and forcing the consumer to buy both products instead of the exact product they want or need.

"Because Senate Bill 2314 essentially erodes the consumer protection principle underlying anti-bundling rules and policies, I am opposed to this bill."

Representative Green rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Green's written remarks are as follows:

"I rise in strong support of SB2314 SD1 HD2 CD1, which will enable small health insurers to continue combining different types of health and sickness-related insurance benefits into a single unified policy. This bill is necessary because the current administration has recently chosen to interpret Hawaii law in a different way than it has ever been interpreted by prior administrations, to prohibit the combination of drug and medical coverage, or the combination of medical, dental and drug coverage, or any other combination of health related coverages, into one insurance policy. Numerous Hawaii laws already permit the combination of various types of health coverages under one policy, and this should be encouraged, not discouraged, to help provide the broadest health coverage possible for Hawaii's residents.

"The current Administration has departed from those years of acceptance and deemed these combined benefits as a violation of state anti-tying laws. This Administration is doing so even though the U.S. Supreme Court has long since made clear that a company with less than 30% market share has no coercive power in the marketplace and cannot violate federal anti-tying laws. *Jefferson Parish Hospital v. Hyde*, 466 U.S. 2 (1984). *Jefferson Parish* is widely respected as a landmark decision on anti-tying law, wherein the Court stated, "the fact that [the hospital's patients] are required to purchase two separate items <u>is only the beginning of the appropriate inquiry</u>." *Id*. at 25 (emphasis added). "Only if patients are forced to purchase [the tied product] <u>as a result of the hospital's market power</u> would the arrangement have anticompetitive consequences." *Id*. (emphasis added). Emphasizing the point, the Court stated that "[w]ithout evidence that [the hospital is] using market power to force [the tied product] upon patients there is no basis to view the arrangement as unreasonably restraining competition whatever the reason for its creation." *Id.* at 25 n.41. The Court concluded that the hospital had no market power and therefore, the tying arrangement was not unlawful. In reaching that conclusion, the Court assumed that the hospital had a market share of 30%. *Id.* at 26.

"*Jefferson Parish* reversed a trend in lower courts – now being copied by Hawaii's Insurance Commissioner – to condemn tying arrangements even when the defendant's share of the market was very small. Since *Jefferson Parish* was decided, courts have generally refused to prohibit tying arrangements where the market share is less than 30% of the market. *See, e.g.,. Marts v. Xerox,* 77 F.2d 468, 481 (3rd Cir. 1992) (10-12% insufficient); *Grappone, Inc. v. Subarus of New England, Inc.,* 858 F.2d 792, 797 (1st Cir. 1988) (recognizing market share of 5.6% or less as "miniscule").

"Consistent with the federal standard, SB2314 SD1 HD2 CD1 will encourage the existing practice by smaller accident and sickness insurers to "bundle" together different classes of insurance, such as health, dental, and vision, thereby continuing the State's historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances, bundling provides broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

Representative Mizuno rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Mizuno's written remarks are as follows:

"It is the purpose and intent of SB2314 SD1 HD2 CD1 to expand access to health insurance by allowing broader coverage for less cost. SB 2314, SD1, HD2, CD1, provides greater flexibility for small insurers to "bundle" different types of benefits, such as health, drug, dental, vision and life together. This allows the small accident and health or sickness insurers to provide broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options.

"SB 2314, SD1, HD2, CD1 is necessary because the current Administration has recently chosen to interpret Hawaii law in a different way than it has ever been interpreted by prior

administrations, to prohibit the combination of drug coverage, or any other combination of health related coverages, into one insurance policy. Numerous Hawaii laws already permit the combination of various types of health coverages under one policy, and this should be encouraged, not discouraged, to help provide the broadest health coverage possible for Hawaii's residents.

"It is the Legislature's intent to encourage the existing practice by smaller accident and health or sickness insurers to "bundle" together different insurance benefits, such as health, dental, vision, drug and life, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances bundling provides broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

Representative Ward rose to speak in support of the measure, stating:

"I rise in support. This is about the small guys helping the small guys to get insurance. And I request written comments in the Journal."

Representative Ward's written remarks are as follows:

"I rise in support of SB 2314.

"SB 2314 provides greater flexibility for small insurers to "bundle" different types of benefits, such as health, drug, dental, vision and life together. This allows the small accident and health or sickness insurers to provide broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options.

"SB 2314 is necessary because the current Insurance Commissioner has recently chosen to interpret Hawaii law in a different way than it has ever been interpreted by prior administrations, to prohibit the combination of drug and medical coverage, or the combination of medical, dental and drug coverage, or any other combination of health related coverages, into one insurance policy. If SB 2314 is vetoed, the Insurance Commissioner's position will result in fewer, more costly options in the health care market.

"The Legislature disagrees with the Insurance Commissioner's novel position, as the U.S. Supreme Court has long since made clear that a company with less than 30% market share has no coercive power in the marketplace and cannot violate federal anti-tying laws. *Jefferson Parish Hospital v. Hyde,* 466 U.S. 2(1984). *Jefferson Parish* is widely respected as a landmark decision on anti-tying law, wherein the Court stated, "the fact that [the hospital's patients] are required to purchase two separate items <u>is only the beginning of the appropriate inquiry</u>." *Id.* at 25 (emphasis added). "Only if patients are forced to purchase [the tied product] <u>as a result of the hospital's market power</u> would the arrangement have anticompetitive consequences." *Id.* (emphasis added). Emphasizing the point, the Court stated that "[w]ithout evidence that [the hospital is] using market power to force [the tied product] upon patients there is no basis to view the arrangement as unreasonably restraining competition whatever the reason for its creation." *Id.* at 25 n.41. The Court concluded that the hospital had no market power and therefore, the tying arrangement was not unlawful. In reaching that conclusion, the Court assumed that the hospital had a market share of 30%. *Id.* at 26.

"*Jefferson Parish* reversed a trend ion lower courts – now being copied by Hawaii's Insurance Commissioner – to condemn tying arrangements even when the defendant's share of the market was very small. Since *Jefferson Parish* was decided, courts have generally refused to prohibit tying arrangements where the market share is less than 30% of the market. *See, e.g., Marts v. Xerox,* 77 F.3d 1109, 1113 n.6 (8th Cir. 1996) (18% too small); *Town Sound and Custom Tops, Inc. v. Chrysler Motors Corp.,* 959 F.2d 468, 481 (3rd Cir. 1992) (10-12% insufficient); *Grappone, Inc. v. Subarus of New England, Inc.,* 858 F.2d 792, 797 (1st Cir. 1988) (recognizing market share of 5.6% or less as "minuscule").

"Consistent with *Jefferson Parish*, it is the Legislature's express intent to encourage the existing practice by smaller accident and health or sickness insurers to "bundle" together different insurance benefits, such as health, dental, vision, drug and life, thereby continuing the historical acceptance of this practice by small insurers who lack coercive power in the marketplace. In these circumstances bundling provides broader health care coverage in single unified policies, ultimately resulting in lower overall premiums, fostering greater competition within the Hawaii insurance marketplace, and providing consumers with greater flexibility, coverage and pricing options."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2314, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 47 ayes to 3 noes, with Representatives Belatti, McKelvey and Thielen voting no, and with Representative Nakasone being excused.

At 4:38 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2978, HD 1, SD 2, CD 1
H.B. No. 2972, HD 1, SD 2, CD 1
H.B. No. 661, HD 1, SD 3, CD 1
H.B. No. 2739, HD 1, SD 2, CD 1
S.B. No. 2878, SD 2, HD 2, CD 1
S.B. No. 2830, SD 2, HD 2, CD 1
S.B. No. 2314, SD 1, HD 2, CD 1

Conf. Com. Rep. No. 163-08 and S.B. No. 2546, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2546, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in support of the measure with reservations, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support with reservations of C.C.R. 163, S.B. 2546, S.D. 2, H.D. 1, C.D. 1 which clarifies amendments to Chapter 353H, Hawaii Revised Statutes, relating to the offender reentry program. I am concerned that we are trying to micromanage the Department of Public Safety, particularly the provision that requires PSD to exchange prisoners through a quarterly rotation system, with long-term inmates sent to out-of-state prisons and prisoners with less than a year to serve to be brought back from out-of-state prisons. Mr. Speaker, PSD is already doing this. I am worried that if we put this provision in statute, it will limit PSD's flexibility on bringing back our prisoners from the mainland. And since PSD is working on a new prisoner classification system, we should not put more requirements on PSD until we know how the new classification system will affect housing requirements.

"Mr. Speaker, I was deeply insulted when this bill was passed in Conference Committee on Friday. The Senator from Ewa Beach stated that if the Governor vetoed this bill, he would pass a bill that would turn Washington Place into a homeless shelter. First, I am disappointed that one of my fellow legislator's would so blatantly

insult the leader of our State, especially since homelessness is such an important issue in our State. Secondly, I am appalled that he would consider turning one of our most historic places in Hawaii into a homeless shelter. The statement was uncalled for and as legislators, we should be held accountable to what we say.

"Thank you, Mr. Speaker."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Meyer rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Meyer's written remarks are as follows:

"Mr. Speaker, I rise in opposition to this bill.

"This bill requires the Department of Public Safety to develop a comprehensive and effective offender reentry system plan for adult offenders exiting the prison system; requires PSD to exchange prisoners through a quarterly rotation system to be brought back to Hawaii; as well as requiring PSD to work with the Department of Human Services and the Hawaii Paroling Authority to research and evaluate the impact on a child who has a parent in prison. Mr. Speaker, PSD is already doing this and by mandating PSD, we will reduce the Department's flexibility to act in the best interest of our prisoners. For example, requiring PSD to exchange prisoners on a quarterly rotation system with no appropriation in the bill could negatively affect the Department's budget, which in effect would take money away from other PSD programs. PSD needs flexibility to make decisions that are appropriate and fiscally responsible. We should not be micromanaging the Department of Public Safety.

"I am concerned that we are shooting for the moon to help our prisoners, but we lack the political will to help our victims who suffer at the hand of violent offenders. I believe the victims of crime should be cared for first, and then we should focus on those who have committed the crime. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2546, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OFFENDER REENTRY," passed Final Reading by a vote of 46 ayes to 3 noes, with Representatives Meyer, Pine and Thielen voting no and, with Representatives Cabanilla and Nakasone being excused.

Conf. Com. Rep. No. 164-08 and S.B. No. 2843, SD 2, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2843, SD 2, HD 3, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in support of the measure, stating:

"Mr. Speaker, thank you. I am in strong support and just have some brief remarks. This bill, Senate Bill 2843, Relating to Electronic Device Recycling, I think will be one of our landmark pieces of legislation for this Session. It's going to put us as one of the leaders among the states that have an electronic or e-waste recycling program.

"I want to commend the Chair and the Vice Chair of the Energy and Environmental Protection Committee who really worked on this bill and shepherded it through the process. I think this again, is going to be something that we can all be very proud of, and we'll see a reduction in our solid waste stream for the future. Thank you, Mr. Speaker."

Representative Carroll rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Carroll's written remarks are as follows:

"Thank you, Mr. Speaker. The purpose of HB 2843 is to encourage the recycling of electronic devices sold within the State by establishing an electronic device recycling program. As a member of the Conference Committee on HB 2843, agreement was reached to do the following:

Exempt all telephones regardless of screen size;

Specify that "manufacturer" shall not include persons located in the State who manufacture specialized computers and have sales of no more than one hundred computers per year;

Clarify that "sell" or "sale" means any transfer for consideration of title, including transactions conducted through sales outlets, catalogs, or the Internet, but excluding leases;

Stipulate March 31, 2011 as the deadline for each manufacturer to initially submit to the DOH the total weight of all covered electronic devices recycled in the previous year;

Require the DOH, by July 1, 2011, and annually thereafter, to publish a ranking of all manufacturers selling covered electronic devices in the State;

Require the DOH to maintain a toll-free number with current information on where to return covered electronic devices for recycling;

Authorize the Attorney General to enforce this measure and take necessary action against any manufacturer or retailer for failure to comply;

Authorize the DOH to impose by order administrative penalties and to set, charge, and collect administrative fines and to recover administrative fees and costs;

Establish within the DOH a temporary working group to develop a plan to establish, conduct, and manage a program for the collection, transportation, and recycling of televisions sold in the State, to be implemented no later than January 1, 2010;

Redefine "covered electronic devices";

Omit the appropriation of funds for the establishment of the electronic device recycling program; and

Change the effective date to July 1, 2008.

"Our landfills are reaching quickly their full capacity and we need to take a conscious step forward to address this issue. This measure takes a comprehensive approach in addressing this issue. There are corporations such as Apple and Dell that have embraced this legislation. The cost of recycling is shared with manufacturers, government and the consumer. This is a fair compromise to address this important issue.

"This bill helps tackle the problem of electronic waste by having manufacturers register with the State; label their electronic devices; and develop a plan to establish and manage a program for collection and recycling. Electronic waste is contributing millions of tons to landfills every year and the toxic materials used in their construction is seeping into our soil and groundwater, or sent into the air by incineration. This is a great step in reducing the amount

of waste that goes into our landfills and returning the devices to the manufacturer that made them in the first place.

"For these reasons I support this measure and ask my colleagues to please support it as well. Thank you."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm in opposition to this measure. This is the electronic device recycling program. Mr. Speaker, I'm in opposition because companies and manufactures have already implemented their own recycling and take-back programs. Should this measure pass, it may negatively impact these programs, which often collect wireless equipment for refurbishing and reuse.

"In addition, the Department of Health has serious concerns about funding and prefers a program that is privately run. The Department does not want the establishment of a new State program. Another concern is the $5,000 registration fee that distributors of these kinds of items will have to pay annually which will be passed on to the consumer. So while it's not a tax, it's a fee that will absolutely drive up the cost of all electronic devices that people purchase. As private industry is doing a more than adequate job at promoting the recycling of electronic products, government will not likely be able to match the efficiency of private industry.

"I think this is something that we don't need to do; starting up a new program at the Department of Health similar to the Bottle Bill. Who knows how much will be sitting in that account, out of the economy, not moving through it. And here we have Apple and other manufacturers who are more than happy to do this. Why would we want the government to do it? Thank you, Mr. Speaker."

Representative Morita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. This measure is being supported by Apple and it's modeled after the Texas law which is supported by Dell. What the bill does is embrace a manufacturer's recycling plan. Only if a manufacturer has a recycling plan filed with the Department of Health, can they sell their products in the State. It's the producers' responsibility type of law.

"I worked closely with the Department of Health to make sure that implementing such a program would not be a burden to the Department of Health, but would help to facilitate what the manufacturers are asking for to make sure that these kinds of electronic waste components, which are very valuable because they have precious metals that can easily recycled, go back to the proper recycling centers throughout the nation, so that these valuable components can be extracted and used again. Despite what has been said previously, this is a type of legislation that is being embraced by manufacturers because the responsibility is on the manufacturer to recycle and file adequate recycling plans with the Department. Thank you."

Representative Belatti rose to respond, stating:

"Just in brief rebuttal, and to add to what the previous speaker said, I think this approach puts the responsibility on the manufacturer, and it shares it with the retailer, government and the consumer. So I think again that this law is very forward looking and will put us in good stead with the rest of the country. Thank you, Mr. Speaker."

Representative Meyer rose to respond, stating:

"Thank you, Mr. Speaker. While Apple may have said that if we had this program they would participate, they are already doing it. I would prefer, and think that we should have looked at a Texas e-waste law type of bill. This should be used as a model. In their program, manufacturers selling computer equipment implement a recovery plan for recycling devices. Manufacturers pay to carry out their own plan. There is no collection fee and they may select from a variety of options. Manufacturers submit reports regarding the recycling and reuse efforts, and the State's responsibility is limited to accepting recovery plans and maintaining a list of complaint manufacturers. This bill is so broad, and it will encompass so many different devices, and all of these companies paying these large fees. It's just something that's going to add to the cost of living here in Hawaii. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support with written comments, and just a brief rebuttal. Mr. Speaker, this measure is a compromise measure that is modeled after the Texas legislation. Thank you, very much."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support SB2843, CCR164-08.

"As we move into the digital age, our society has become increasingly dependent on computers and other electronic devices. As a result, outdated electronic devices, known as e-waste, are now abundant in our landfills. Currently, it is estimated that approximately 100 million computers become obsolete each year and are discarded. This waste can damage our environment as electronic devices often contain lead, mercury, and other harmful metals. Additionally, e-waste frequently contains precious metals, such as gold, that would go to waste if not recycled. Several states around the nation have implemented e-waste recycling programs, and it is about time that Hawaii followed suit.

"The e-waste recycling program encompassed in this measure is placed within the Department of Health and, like the Texas legislation upon which it's based, puts the onus on electronics manufactures. Some have argued that this program will disrupt e-waste programs already in effect; however, this measure simply requires manufactures to file their recycling plans with the Department of Health. It will not disrupt the recycling efforts of manufactures that already have an e-waste recycling program in effect, and will require a manufacture-based e-waste recycling program for those companies who do not yet recycle their obsolete electronic devices. Thank you."

Representative Morita rose in support of the measure and asked that her additional written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker: I just wanted to respond to the comments made by the Minority Floor Leader. The Minority Floor Leader mentioned that she would prefer legislation like the law Texas enacted regarding electronic recycling. Mr. Speaker, this bill reflects a structure much like the Texas e-waste law. Your Chairs of the Committee on Energy & Environmental Protection and Committee on Economic Development & Business Concerns looked to the Texas law as a model while amending this legislation.

"Now with this misunderstanding cleared up, I hope she can fully support this bill which puts the responsibility on the producer/manufacturer, and not the State, to properly design electronic equipment for easier recycling when these types of devices reach obsolescence or become non-functional."

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2843, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC DEVICE RECYCLING," passed Final Reading by a vote of 47 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Cabanilla and Nakasone being excused.

At 4:47 o'clock p.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2546, SD 2, HD 1, CD 1
S.B. No. 2843, SD 2, HD 3, CD 1

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Cabanilla and Nakasone were excused.)

H.B. No. 2164, HD 1, SD 1
H.B. No. 2224, HD 1, SD 2
H.B. No. 2271, HD 1, SD 2
H.B. No. 2547, SD 1
H.B. No. 2614, SD 1
H.B. No. 2929, HD 1, SD 1
H.B. No. 2954, SD 1
H.B. No. 2955, HD 1, SD 1
H.B. No. 2971, HD 1, SD 2
H.B. No. 3085, HD 2, SD 1
H.B. No. 3191, HD 1, SD 2

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 2164, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2164, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 4 (Chang, Green, M. Oshiro and Finnegan). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2164, H.D. 1 and H.B. No. 2164, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE CANCER RESEARCH SPECIAL FUND," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2224, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2224, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 5 (Green, Yamashita, Sonson, Herkes and Thielen). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2224, H.D. 1 and H.B. No. 2224, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2271, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2271, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Green, Mizuno and Ward). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2271, H.D. 1 and H.B. No. 2271, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST CASTLE MEDICAL CENTER AND ITS AFFILIATES," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2547, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2547, on the following showing of Ayes and Noes:

Ayes, 2 (Takumi and Carroll). Noes, none. Excused, 1 (Meyer).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2547 and H.B. No. 2547, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS FOR MAUI PREPARATORY ACADEMY," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2614, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2614, on the following showing of Ayes and Noes:

Ayes, 2 (Takumi and Har). Noes, none. Excused, 1 (Finnegan).

Representative Caldwell moved that H.B. No. 2614, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support on HB 2614.

"This bill issues a $30 million special purpose revenue bond to Island Pacific Academy, one of Kapolei's newest schools. The funds from this special purpose revenue bond will assist Island Pacific Academy in expanding their student body's programs by allowing construction of additional classrooms and a gymnasium.

"Mr. Speaker, as you know, I am an ardent proponent of our public education system. That being said, however, I also support diversity in our education system which can be achieved by providing parents and students with choices in education. This is where our private schools play an important role. Island Pacific Academy, one of two private schools in Kapolei, provides parents and students with a choice in education because IPA implements in its pedagogy contemporary research about cognitive development in young minds.

"I further support this bill because the student population at IPA is not comprised solely of students from Kapolei, but includes students from all over Oahu. Approximately 30-35% of these students receive tuition assistance demonstrating that it is critical to IPA to have a diverse student population, transcending socio-economic barriers.

"As it is becoming more difficult for the State to build public schools in a timely manner due to budgetary constraints, our private schools play an even more important role by picking up the slack for our already overcrowded public schools. Therefore, we need to support our private schools as they provide support to State government.

"For these reasons, Mr. Speaker, I stand in strong support of HB 2614."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2614 and H.B. No. 2614, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ISLAND PACIFIC ACADEMY," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2929, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2929, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Sonson, M. Oshiro and Pine). Noes, none. Excused, 1 (Herkes).

Representative Caldwell moved that H.B. No. 2929, HD 1, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition to this measure. The IME process is an important part of the employer's discovery process to ensure proper treatment and that the costs they incur are justified. In the situation where a worker is injured, an employer will request an IME only when they have questions or concerns relating to the claimant's injury or the propriety of the attending physicians' treatments. Requiring that the IME be chosen from a list provided by the Director of Labor, if there is no mutual agreement, deprives employers of choosing their own expert witness. The employer pays 100 percent of the costs to the physician, and the employee pays nothing. So it is only reasonable for an employer to be able to choose the physician to complete an evaluation of an employee.

"Some proponents of the bill have stated that employer-designated doctors are 'in the pocket of the company,' and the employee will not be fairly evaluated. However there are already safeguards in place for IMEs. Hawaii's workers' compensation law requires full disclosure of the IME report to the injured employee. This requirement allows the treating physician or the injured worker to challenge the evaluation, and then the Department of Labor makes a decision on the case based upon the evidence provided by opposing parties.

"Mr. Speaker, this bill eliminates the employer's ability to choose a physician, every step of the worker's compensation process and that is why I'm voting no. Thank you."

Representative Ching rose in opposition to the measure and asked that the remarks of Representative Meyer be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Marumoto rose to speak in opposition to the measure, stating:

"Mr. Speaker, in opposition. I agree fully with the comments of the Minority Floor Leader, but this would really prolong the payment of temporary total disability, which is really expensive. It's wage replacement. And until there is a mutual agreement, you'll have to keep paying the worker this wage replacement. The worker may really never mutually agree upon a physician to perform these examinations.

"It is not a good bill. We've passed several of these bills and they will all increase the cost of doing business here in Hawaii. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"I'm standing in strong support of this measure, Mr. Speaker. One of the most important provisions in our workers' compensation law is HRS 386, and specifically under 386-79, the so-called independent medical examination, or IME is done by the insurance company's physician. Under the current law, the insurance company's doctor has the sole discretion to select the IME physician who is also paid by the insurance company. As a result, Mr. Speaker, the examiner's opinion is necessarily and without exception, tailored to favor the insurance company's position. That is what the IME examiner is paid to do.

"This is a not a discovery process. It is a tool to rebut the opinion of the injured worker's treating physician who knows best about the injured worker's medical condition. Therefore independent medical examinations today are not the IME envisioned by the framers of our worker's compensation law. We need to pass HB 2929, HD 1, SD 1 to precisely correct this. The unfairness created by the misuse and abuse of the IME process by the insurance companies requires us to make our move today. If we have to believe as our Supreme Court had in many cases, that our worker's compensation law was enacted for humanitarian purposes, fair to both the workers and the employees making work injury comprehensible in cases of doubt. I ask you to pass HB 2929, HD 1, SD 1.

"HB 2929 does the following:

First, it simplifies and streamlines the process of the selection of IME under 386-79 by providing a step-by-step procedure in obtaining a truly independent medical examiner.

Two, it defines the qualification of the IME examiners, making sure that they are licensed in the State of Hawaii in their relevant medical specialty, and are able to perform the evaluation within a limited time in order to expedite the determination of the relevant issues, which should favor either party.

Three, it also clarifies when permanent impairment ratings need to be done by defining medical stability.

Four; it reduces the cost of IMEs by limiting the number of IMEs to only relevant stages in each case.

Five, it also clarifies controversial and constantly ignored one per case IME provision under 386-79 by changing the wording of that provision where one per case means, one per case.

Six, it affords repetitive IMEs by separating the IME for permanent impairment ratings from grading examinations.

Seven, it retains a carrier's right to suspend benefits to the injured worker in the event that the injured worker refuses to submit or unreasonably obstructs the requested IME.

Eight, it makes IMEs more equitable and fair to the injured worker or the employer by giving the injured worker the right to participate in the selection of the independent medical examiner.

And nine, the measure levels the playing field between the strong insurance company's doctor and the injured or employer's treating physician by recognizing that the treating physician has and should have a higher knowledge of the injured worker's medical condition compared to the opinion of this IME, this hired examiner who would see the injured worker or injured person only once, and sometimes only very briefly.

"For the above reasons Mr. Speaker and Members, please support H.B. 2929. Thank you very much."

Representative Pine rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2929, H.D. 1 and H.B. No. 2929, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 42 ayes to 6 noes, with Representatives Ching, Finnegan, Marumoto, Meyer, Pine and Thielen voting no, and with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2954, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2954, on the following showing of Ayes and Noes:

Ayes, 3 (Souki, Herkes and Nishimoto). Noes, none. Excused, 1 (Meyer).

Representative Caldwell moved that H.B. No. 2954, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Karamatsu rose to speak in support of the measure, stating:

"Mr. Speaker, I stand in support and would like to submit written comments. And just a thank you to Speaker Emeritus Joe Souki."

Representative Karamatsu's written remarks are as follows:

"I rise in support.

"I want to thank Speaker Emeritus Joseph M. Souki for inserting language into this bill to address a concern of a resident of Hawai'i who contacted me explaining how he disliked the fact that a towing company can charge an owner of a vehicle that is hooked up for towing even if the owner of the vehicle appears on the scene. This bill would amend the current law by prohibiting a towing company from charging the owner of a vehicle hooked up for towing if the owner of the vehicle appears on the scene. In the case of a difficult hookup, meaning an above or below ground hookup in a multilevel facility, a towing surcharge of $30 is applicable.

"In addition, this bill encourages towing companies to be open twenty-four hours a day in a county with a population greater than five hundred thousand by allowing an overtime charge of $15 when the tow occurs between the hours of six o'clock p.m. and six o'clock a.m., from Monday through Thursday and from six o'clock p.m. Friday to six o'clock a.m. Monday.

"Any towing company engaged in towing in a county with a population greater than five hundred thousand shall not be entitled to any overtime charge if towing services to consumers are not offered twenty-four hours per day every day of the week; provided that a towing company shall file their hours of operation with the police department in a county with a population greater than five hundred thousand. Thank you."

Representative McKelvey rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I am in support, but I do have some very serious reservations."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition and I believe we're talking about the towing fees. Mr. Speaker, this even adds more cost to someone who unfortunately had their car towed. I've had some people get a hold of me and they were explaining that some tow companies are doing what I guess you would call, 'fishing'. They go by certain areas knowing that someone is going to park with maybe a bumper extending into a red zone or something of that nature, and they're on those cars, picking them up and towing them away.

"One of the people was called to the condo to give an estimate for some repairs to the common areas of the condominium. And when he came out, his truck was gone. It's an unfortunate situation because the towing companies are preying on people that have just inadvertently parked in a way that maybe is not fully legal. So I don't like to see us keep raising fees.

"The towing companies have come back virtually every year and they've gotten what they've asked for. Too bad that couldn't happen with the homeless population. Thank you."

Representative Pine rose to speak in opposition to the measure, stating:

"Just in opposition. Mr. Speaker, this bill allows towing companies to raise fees for after-hours towing. And I can only speak by my experience, that in my community, which is a planned community association, the towing companies seem to have no problem every night, coming in the middle of the night when we're all sleeping to tow many, many cars. So it doesn't seem to be an economic factor to those companies."

Representative Karamatsu rose to respond, stating:

"Unfortunately some of the Members are not looking at the good part of the bill, which basically allows us some flexibility. If we get to the vehicle and it's hooked up, right now if it's hooked we have to pay a fine. But with this new language, if it's hooked up and we get there in time, as long as it's not towed away, we don't have to pay a fine. They can drop the costs. Right now, as long as it's hooked up you have to pay the fine. So that's the good thing about this bill."

Representative Cabanilla rose to speak in support of the measure, stating:

"I rise in strong support of this measure, Mr. Speaker. Although there is an increase of fees after hours, I think I'm looking at it as a limit on what they can charge. Right now, there is no cap on how much they can charge after hours. They can just name their price and they can tow it to anywhere on the island that they so choose.

"I like the part where if your car is still there and they have hooked it up, just like the Representative from Waipahu said. I think that's what's beautiful about this bill. I concur however, with what the Representative from Kailua said and I think we should write a bill against that next Session. Thank you, Mr. Speaker."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm rising in opposition. That provision where they have to unhook your car if you arrive before they've hooked it up; they're ready to go, but you come back. That was put in during Conference Committee in 2007. That was something that the Senator on the Conference Committee absolutely wanted. That bill raised the fee per mile, per tow. There were a lot of provisions in that bill last year that made the cost go up for everybody who's ever had their car towed. But that provision where they would unhook it was supposed to be in the version that came out of Conference Committee.

"So when this came back this year, it was really just to take care of that mistake that was made, but then in the process, now we've added another fee on. I'm with my colleague from Kailua. It seems like every year we're doing something with the tow trucks and it's ratcheting it up, finding new ways to charge more things and enough already. Thank you."

Representative Souki rose to speak in support of the measure, stating:

"Yes, Mr. Speaker. I speak in favor of this particular measure. It seems that my friends across the aisle don't look at the signs. When you get towed, it means you're breaking the law. There are signs there saying that if you park in this area, you're going to get towed. So if you insist on breaking the law, which you seem to want to do, then you are going to get charged accordingly. Thank you, very much."

Representative Takai rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I rise with reservations. About 20 years ago when I was still in college, I got towed from the University of Hawaii at Manoa to somewhere in Sand Island, and back then it cost me $200 to get my car out. I believe the cost now is even significantly higher, and they cannot charge anything other than what we provide in law. I do believe that they cannot at this point, charge an overtime charge unless we pass this bill. So without this bill, which now provides for an overtime charge of $15, tow companies cannot charge an additional charge. I don't know how much it will cost someone who got their car towed from somewhere like the University to Sand Island. Or worse yet, from the North Shore all the way to Sand Island, but I do know we're talking about hundreds of dollars.

"And in terms of the other issue about being there before they take off and allowing the tow truck to drop your car so you can take off with it, I look at lines 19 to 21. To me, the current bill is difficult to understand because it still, in the case of a difficult hook up, and it describes a difficult hook up in a round about way. There is a still a towing surcharge of $30 and that was not eliminated. So the way I read this is, even despite the fact that you've been hooked up and you come and save your car, they still might charge an additional $30. I just think that at this point, we've been giving, almost every other year, increases to towing companies. There must be a point where we should say, 'Enough already'. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you. I rise with reservations and I ask that the words of the Representatives from Kailua and Pearl City be entered as my own. I think, yes when people park illegally there are consequences. But when I go to Sand Island, and I have been towed before, I'm looking what the costs are for land costs, gasoline, etc. I don't know how much the drivers get paid, but $200, $300, I see a lot of cars there. Maybe on a weekend they catch a lot of young people out and about, and I do have to question the exorbitant fees, and if it's gone too far. Thank you."

Representative Nishimoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. This bill really is a product of some complaints that we heard from constituents. The first part is the towing and if you show up on the scene. Our Committee heard testimony that it's common practice for the towers to show up, preliminarily hook up the car, move it a foot, and then say, 'Okay, well we already hooked it up and we moved it,' so they can't unhook it when you get there. So the language in here was inserted to correct it so that even if they move it, or they are even in the process of hooking it up, they're still required to take it down if you show up.

"The second part was from complaints from people who get their car towed and can't pick up their cars, say it's over the weekend, or a long holiday, because the tow companies aren't open. It was kind of a trade off where we increase the overtime fee, but require them to stay open 24 hours. Your Committee felt that that was fair. So I encourage Members to support this bill. I think it's a fair bill. Thank you."

Representative Pine rose to respond, stating:

"Just going by experience again. Where I live, there's the 'towing Nazis' and there are many people that will claim they did follow the law, and did stay within the lines. And for whatever reason, even if it was just that time period where we had a tow company that was not acting in what we thought was lawful. My husband was a victim of one of those tow companies where he was within the lines. So we can't just assume that all the people towed are breaking the law. There are cases where that's very different.

"I just want to add the words of all those that are in opposition as my own, as well the Representative from Pearl City," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2954 and H.B. No. 2954, S.D. 1, entitled: "A BILL FOR AN ACT RELATED TO TOWING," passed Final Reading by a vote of 43 ayes to 5 noes, with Representatives Brower, Finnegan, Meyer, Pine and Thielen voting no, and with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2955, H.D. 1, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2955, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Ito, Karamatsu and Thielen). Noes, none. Excused, 1 (Carroll).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2955, H.D. 1 and H.B. No. 2955, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ARCHAEOLOGICAL DATA," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 2971, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2971, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Takumi, Lee and Berg). Noes, none. Excused, 1 (Finnegan).

Representative Caldwell moved that H.B. No. 2971, HD 1, SD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Takumi rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Takumi's written remarks are as follows:

"I stand in support of HB2971. There's no doubt that education in the 21st Century must be relevant, rigorous and flexible. It is imperative that students have more opportunities and increased access to a wide variety of courses such as math, foreign languages, and science.

"A November 2006 report published by the North American Council for Online Learning and the Partnership for 21st Century Skills summarized the critical need for different approaches to learning:

In an increasingly competitive global economy, it is not enough for students to acquire subject-level mastery alone. Skills like creativity, problem-solving, communication and analytical thinking are necessary for all levels of success, from entry-level jobs to engineering and technical fields. However, the U.S. K-12 education system as a whole does not yet teach and measure these skills directly.

Some sobering statistics:

- Eighty-four percent of employers say K-12 schools are not doing a good job of preparing students for the workplace; 55 percent say schools are deficient in preparing students with basic employability skills (such as attendance, timeliness and work ethic); 51 percent cite math and science deficiencies; and 38 percent cite reading and comprehension deficiencies.

- A very small percentage of 4th and 8th grade students U.S. students (less than 30%) perform at a proficient level in math, while up to 20% lack the competence to perform even basic mathematical computations.

"One way to meet this challenge is through online instruction. This method gives students another option and offers personalized and individualized instruction to meet their needs and not the other way around which is typical in a traditional classroom setting.

"For example, virtual schools in Florida, students decide what month of the year they want to start, when and where they want to study, and how to respond to assignments. Students have the option to indicate their understanding of course content through a Power Point presentation, by creating a website, developing a podcast, or writing a traditional essay.

"Students in Hawaii have a 180-day school year. If a student completes a course in 150 days in a traditional classroom, they have to sit through the remainder of the year. If they complete it in 200 days, they fail since they didn't make the deadline. By enabling students to proceed at their own pace, they learn to manage their time; really no different than what they will face in the world of work.

"This measure will enable the Department of Education to expand online opportunities for our students. It is an important measure and deserves our support."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in support of H.B. 2971, H.D. 1, S.D. 2 which requires the Department of Education to implement recommendations of the online learning taskforce. I believe this bill is a major step towards creating a 21st century education system in Hawaii. This will result in the expansion of online learning opportunities for our students.

"The education system of Hawaii needs to adapt to the changing nature of its students. This means embracing the use of technology which has become a normal part of our kids' lives. Statistics show that nearly 90% of children and adolescents from ages 5 to 17 use computers, with about 59% using the internet. Access to knowledge and information has expanded due to the internet. This technology can be used to enhance the learning experience of students. It can also be used to create a rich curriculum, and provide educational opportunities to students anywhere in the State.

"Our education system needs to utilize this new educational resource. Other states have recognized this potential. As of September 2006, 38 states had some type of state-led online learning program, or initiatives. It is time for Hawaii to join them. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2971, H.D. 1 and H.B. No. 2971, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 3085, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3085, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Yamashita, Herkes, Sagum and Marumoto). Noes, none. Excused, 1 (Waters).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3085, H.D. 2 and H.B. No. 3085, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

H.B. No. 3191, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the

managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3191, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (M. Oshiro, Lee and Meyer). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3191, H.D. 1 and H.B. No. 3191, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY OF THE HAWAII INCOME TAX LAW TO THE INTERNAL REVENUE CODE," passed Final Reading by a vote of 48 ayes, with Representatives Nakasone, Wakai and Waters being excused.

At 5:10 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2164, HD 1, SD 1
H.B. No. 2224, HD 1, SD 2
H.B. No. 2271, HD 1, SD 2
H.B. No. 2547, SD 1
H.B. No. 2614, SD 1
H.B. No. 2929, HD 1, SD 1
H.B. No. 2954, SD 1
H.B. No. 2955, HD 1, SD 1
H.B. No. 2971, HD 1, SD 2
H.B. No. 3085, HD 2, SD 1
H.B. No. 3191, HD 1, SD 2

At 5:10 o'clock p.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:10 o'clock p.m.

Conf. Com. Rep. No. 75-08 and H.B. No. 1832, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee and H.B. No. 1832, HD 1, SD 1, CD 1, be recommitted to the Committee on Conference, seconded by Representative B. Oshiro.

Representative Marumoto rose, stating:

"Mr. Speaker, as I recall this was a bill that passed through both houses of the Legislature with relative ease, and I'm wondering why there's a motion to recommit. Perhaps it's just to make a correction?"

The Chair responded, stating:

"I believe the response to your question, Representative Marumoto, is that the Senate has recommitted this measure in their Chamber. So we're just following the actions of the Senate in recommitting this back to the Committee on Conference."

Representative Bertram rose to speak in opposition to the motion to recommit, stating:

"I just wanted to speak against this motion. I think it's a great bill, and I'm sad to see it be recommitted at this point. I really do think, hopefully, we'll be able to get some kind of a real understanding of what the signs do to neighborhoods, and to our community at large. I hope that we can reconsider this next year. Thank you."

Representative Pine rose to speak in opposition to the motion to recommit, stating:

"Just in opposition to the recommittal. I live in a district where big signs are the norm for elections, and it really changed my community a lot. I would like to not use signs at all, but every year my opponents refuse to not put up signs when we request it of them. I just think that it's very sad that we're recommitting this bill. It would have been good for the environment and pleasing for our eyes."

Representative Brower rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I'm just in opposition to the motion, and to support the Representative from South Maui whose one sign was stolen two years ago."

Representative McKelvey rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I am in opposition to the recommittal, and may I have the words of the Representative from Kihei entered into the Journal as if they were my own. And also to say that I had more than one sign."

Representative Morita rose and asked that the Clerk record a no vote for her on the motion to recommit, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the motion to recommit, stating:

"Thank you, Mr. Speaker. I am in opposition to the recommittal. The Outdoor Circle worked very, very hard Mr. Speaker, and worked with an attorney, Jon Van Dyke, on the constitutional issues. The bill was good. It would have prevented these excessively large campaign signs from being a blight in our environment, and I'm sorry to see us recommit it. I think we ought to really stand firm and instead go ahead and pass the measure. Then that leaves the burden on the Senate to have to face what we've done. Thank you."

Representative Takai rose to speak in support of the motion to recommit, stating:

"Thank you, Mr. Speaker. I rise in support of this recommittal. The main reason is the Senate has already recommitted this measure and it would be I think, not standard practice for us to move forward at this point, because for all intents and purposes, the bill is dead.

"But I do bring up two concerns that I had in regards to the bill. The first one is that, well it's really one concern by way of that concern. I'd like to explain first, the bill requires no larger than a 2 foot by 4 foot sign. But it also mandates that no more than 16 square feet can be on a particular house. In Pearl City, which is the community I represent, we have some really choice intersections. And by the way, I have never put up a yard sign since I first started running. But at those particular intersections Mr. Speaker, we have maybe 10 …"

Representative B. Oshiro rose to a point of order, stating:

"Point of order, Mr. Speaker. I think the current speaker is out of order. Normally on a motion to recommit, we allow members to only speak on the motion and why it's good or not. He's starting to get into the substance. You've been very generous so far, but I think he's straying."

The Chair responded, stating:

"Yes, I've been very generous to the Members of this body regarding the actions of the Chair during this past Session. So Representative Takai, would you continue on, but please confine your remarks to the motion of the recommittal and not the substance of the bill that is before us."

Representative Takai continued, stating:

"That's very difficult, because you allowed the other speakers to speak on the substance. I just have maybe 30 more seconds."

Speaker Say: "And the Chair will be generous to allow you."

Representative Takai: "Thank you, Mr. Speaker. The last provision only allows for no more than 16 square feet. What that actually means is that on a typical residence, if the signs are 8 feet each, then they can only have two. In some districts or some communities, you have 10 candidates running for 10 different races. I think it's problematic when you're going to restrict one residence to just two signs.

"We have congressional races, gubernatorial races, Lieutenant Governor races, U.S. Senate races, House races, Senate races, City Council races, a whole bunch of races, but this law will allow for only two signs. That is a problem."

Representative Belatti rose to speak in opposition to the motion to recommit, stating:

"Please note my opposition on the motion to recommit, and just given the lively debate we've had, I don't see the problem with us voting on it. Thank you."

Representative Cabanilla rose to speak in support of the motion to recommit, stating:

"In support of the recommittal, Mr. Speaker. I represent Ewa and Waipahu, and they really want to put up their Merry Christmas signs, and their Santa Claus signs. You go through Ewa and you see big signs there during Christmas. This would really kill the tradition of Christmas. Thank you."

Representative Sonson rose, stating:

"The Governor really liked signs because in Waipahu, all year round, you see these huge 4 feet by 10 feet signs hanging around in Waipahu. Believe you me, just go down Waipahu Street, you can see these beautiful signs that say, 'Lingle, Aiona, awesome, strong,' Waipahu loves it."

Representative Takumi rose and asked that the Clerk record a no vote for him on the motion to recommit, and the Chair "so ordered."

At this time, Representative Souki called for the previous question.

Representative Lee rose and asked that the Clerk record a no vote for her on the motion to recommit, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee and H.B. No. 1832, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OUTDOOR ADVERTISING," were recommitted to the Committee on Conference, with Representatives Belatti, Bertram, Brower, Lee, McKelvey, Morita, Pine, Takumi and Thielen, voting no, and with Representatives Nakasone and Wakai being excused.

At this time, the Chair discharged all House conferees for H.B. No. 1755, HD 1, SD 1.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to certain House bills. (Representatives Nakasone and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Nakasone and Wakai were excused.)

H.B. No. 1755, HD 1, SD 1
H.B. No. 2387, HD 1, SD 2
H.B. No. 2710, HD 2, SD 2
H.B. No. 3150, HD 2, SD 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolution, seconded by Representative B. Oshiro and carried. (Representatives Nakasone and Wakai were excused.)

H.C.R. No. 138, HD 2, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolution was taken from the Clerk's desk and the following action taken:

H.C.R. No. 138, HD 2, SD 1

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 138, HD 2, and H.C.R. No. 138, HD 2, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE UNIVERSITY OF HAWAII JOHN A. BURNS SCHOOL OF MEDICINE'S TELEHEALTH RESEARCH INSTITUTE TO FORM A TASK FORCE TO REVIEW THE POTENTIAL EXPANSION OF THE CURRENT PRACTICES AND EQUIPMENT OF HAWAII'S TELEMEDICINE SYSTEM," was Adopted, with Representatives Nakasone and Wakai being excused.

At 5:22 o'clock p.m., Representative Chong requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:29 o'clock p.m.

At this time, the Chair announced:

"Members, with your indulgence, because this Chamber abides by the 48-hour notice on most of our bills to give notice to the Minority and Majority Caucuses, we also have another measure that is on your yellow Action Sheets. Please turn to H.B. No. 2605."

At this time, the Chair discharged all House conferees for H.B. No. 2605, HD 2, SD 1.

SUSPENSION OF RULES

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments proposed by the Senate to a certain House bill. (Representatives Nakasone and Wakai were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Caldwell moved that the House reconsider its action previously taken in disagreeing to the amendments proposed by the Senate, and gave notice of intent to agree to such amendments for the following House bill, seconded by Representative B. Oshiro and carried. (Representatives Nakasone and Wakai were excused.)

H.B. No. 2605, HD 2, SD 1

ANNOUNCEMENTS

Representative Har: "Thank you, Mr. Speaker. Mr. Speaker not only is today the 59th day of the Legislature, but it's also a very special day because several decades ago, one of our favorite colleagues was born on this day. And this colleague is somebody who we in the House can honestly say that we all really love this man. He has enlightened us with Ito-isms, and he continues to enlighten us as the Chair of Water, Land, Ocean Resources & Hawaiian Affairs. Colleagues please join me in wishing a very happy birthday to our favorite Representative from the Windward side, Ken Ito."

Representative Sonson: "Mr. Speaker and colleagues. I forgot that I needed to do this, and I'm going to take two minutes. I'm going to read really quickly, but I do have an announcement. I know we have smart people here according to Professor Boylan, but we also have very strong women in this particular Chamber. If you would permit me a brief announcement, I'd like to honor to two very special female colleagues in this Chamber.

"To make this announcement Mr. Speaker, I can't help but think back to the story of how the end of the world would be when all the human souls were brought to the gate of Saint Peter. All of the men would stand in one line, and all of the women stand in another. It is then that Saint Peter asked all the men who dominated their wives to stand in one line, and all of the men who were dominated by their wives to stand in another. Eventually all the women went in, and then with two lines which one line was men dominated by their wives stretched for miles. And the line of men who dominated their wives had only one man. It was then that God looked at the lone man and said, 'How is it possible? Tell me my son, what was your secret?' And the man answered, 'Hmm, I don't know. My wife just told me to stand here.'

"But Mr. Speaker with these thoughts in mind, I'd like to direct your attention to two female colleagues who were recognized this year on the Filipina Women's Network list of 100 Most Influential Women. The Filipina Women's Network or FWN is a nonprofit, professional organization for women of Filipino ancestry in the United States. The organization is unique in that it strives to reform long-held negative perceptions toward Filipinas, and to facilitate their entry in the positions of leadership in corporate, government and nonprofit organizations.

"Here we honor Representative Rida Cabanilla and Representative Kymberly Pine. These women of Philippine descent receive this recognition under the FWN category of Visionaries and Policy Makers. I'm extremely proud to recognize both of them, and it is an honor to know that there are people like them serving in government and representing the Filipino people excellence, and offering high professionalism. Because of the continuing efforts, future Filipino-Americans, male and female, young and old, can carry on and not be afraid or ashamed of this professional path. Members will you please give them another round of applause."

Representative Brower: "Thank you, Mr. Speaker. In true fashion to this Representative who will be gone from this Chamber as a meeting ends, in just a 'puff of smoke'. I've asked Representative Bertram ten times, and he said it's his birthday today also. Can we please give him a round of applause?"

At 5:35 o'clock p.m., Representative Souki requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 5:36 o'clock p.m.

ADJOURNMENT

At 5:36 o'clock p.m. on motion by Representative B. Oshiro, seconded by Representative Meyer and carried, the House of Representatives adjourned until 10:00 o'clock a.m., Thursday, May 1, 2008. (Representatives Nakasone, Saiki and Wakai were excused.)

HOUSE COMMUNICATIONS

"Legislative Communication

Hawaii State Legislature
State Capitol
Honolulu, Hawaii 96813

Communication from President Colleen Hanabusa
and Speaker Calvin K.Y. Say
dated April 26, 2008 12:05 a.m.
regarding the Extension of Conference Committee Deadlines

TO: Ms. Carol T. Taniguchi, Clerk of the Senate
Ms. Patricia Mau-Shimizu, Clerk of the House

We hereby amend the Joint 2007 Legislative Calendar as follows:

The Final Decking deadline of April 27, 2007 12:00 midnight previously agreed upon notwithstanding, committees on conference shall be allowed to continue the preparation of conference drafts and the signing of conference committee reports for measures agreed upon prior to 12:00 midnight. Agreed upon and signed conference committee reports shall be submitted to your respective offices by 12:00 noon on April 28, 2008.

Said measures submitted to your respective offices by 12:00 noon on April 26, 2008 shall be officially filed on Tuesday, April 29, 2008 at 8:00 a.m. for compliance with Section 15 of the Hawaii State Constitution.

/s/	/s/
Colleen Hanabusa	Calvin K.Y. Say
Senate President	House Speaker"

House Communication dated April 29, 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 made the following changes to the conferees on the following measures:

H.B. No. 1755, HD 1, SD 1	Discharged all Conferees.

H.B. No. 2605, HD 2, SD 1 — Discharged all Conferees.

House Communication dated April 29, 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 following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 0094, HD 1, SD 2, CD 1
H.B. No. 0118, SD 1, CD 1
H.B. No. 0523, HD 2, SD 1, CD 1
H.B. No. 0660, SD 1, CD 1
H.B. No. 0661, HD 1, SD 3, CD 1
H.B. No. 0931, HD 1, SD 1, CD 1
H.B. No. 1153, SD 1, CD 1
H.B. No. 1356, HD 2, SD 2, CD 1
H.B. No. 1365, SD 2, CD 1
H.B. No. 2062, HD 1, SD 2, CD 1
H.B. No. 2139, HD 2, SD 1, CD 1
H.B. No. 2204, HD 1, SD 1, CD 1
H.B. No. 2245, HD 1, SD 2, CD 1
H.B. No. 2253, HD 2, SD 1, CD 1
H.B. No. 2255, HD 2, SD 2, CD 1
H.B. No. 2272, HD 2, SD 2, CD 1
H.B. No. 2346, HD 2, SD 2, CD 1
H.B. No. 2366, SD 1, CD 1
H.B. No. 2372, HD 2, SD 2, CD 1
H.B. No. 2386, SD 2, CD 1
H.B. No. 2388, HD 1, SD 2, CD 1
H.B. No. 2438, HD 2, SD 2, CD 1
H.B. No. 2450, HD 1, SD 2, CD 1
H.B. No. 2486, SD 1, CD 1
H.B. No. 2492, HD 1, SD 1, CD 1
H.B. No. 2500, HD 1, SD 1, CD 1
H.B. No. 2519, HD 2, SD 2, CD 1
H.B. No. 2520, HD 3, SD 2, CD 1
H.B. No. 2550, HD 2, SD 2, CD 1
H.B. No. 2557, HD 1, SD 1, CD 1
H.B. No. 2661, HD 2, SD 2, CD 1
H.B. No. 2697, HD 1, SD 1, CD 1
H.B. No. 2700, HD 1, SD 2, CD 1
H.B. No. 2727, HD 2, SD 1, CD 1
H.B. No. 2730, HD 1, SD 1, CD 1
H.B. No. 2739, HD 1, SD 2, CD 1
H.B. No. 2761, HD 1, SD 1, CD 1
H.B. No. 2763, HD 1, SD 1, CD 1
H.B. No. 2772, HD 3, SD 1, CD 1
H.B. No. 2781, HD 2, SD 2, CD 1
H.B. No. 2847, SD 1, CD 1
H.B. No. 2920, SD 1, CD 1
H.B. No. 2953, SD 1, CD 1
H.B. No. 2972, HD 1, SD 2, CD 1
H.B. No. 2977, HD 1, SD 1, CD 1
H.B. No. 2978, HD 1, SD 2, CD 1
H.B. No. 3002, HD 1, SD 1, CD 1
H.B. No. 3040, HD 1, SD 1, CD 1
H.B. No. 3126, SD 2, CD 1
H.B. No. 3173, HD 1, SD 1, CD 1
H.B. No. 3174, HD 1, SD 1, CD 1
H.B. No. 3175, HD 1, SD 1, CD 1
H.B. No. 3177, HD 1, SD 2, CD 1
H.B. No. 3178, SD 2, CD 1
H.B. No. 3179, SD 1, CD 1
H.B. No. 3249, HD 1, SD 1, CD 1
H.B. No. 3331, HD 2, SD 2, CD 2
H.B. No. 3383, SD 1, CD 1
H.B. No. 3386, HD 1, SD 2, CD 1
S.B. No. 0069, SD 2, HD 3, CD 1
S.B. No. 0988, SD 2, HD 3, CD 1
S.B. No. 1035, SD 1, HD 1, CD 1
S.B. No. 1337, HD 1, CD 1
S.B. No. 1487, SD 2, HD 2, CD 1
S.B. No. 1526, SD 2, HD 3, CD 1
S.B. No. 1793, SD 1, HD 1, CD 1
S.B. No. 1802, HD 1, CD 1
S.B. No. 1891, SD 1, HD 1, CD 1
S.B. No. 1961, SD 1, HD 1, CD 1
S.B. No. 2004, SD 2, HD 2, CD 1
S.B. No. 2041, HD 1, CD 1
S.B. No. 2054, SD 2, HD 2, CD 1
S.B. No. 2055, SD 2, HD 2, CD 1
S.B. No. 2080, SD 2, HD 2, CD 1
S.B. No. 2150, SD 2, HD 2, CD 1
S.B. No. 2157, SD 1, HD 2, CD 1
S.B. No. 2163, SD 1, HD 1, CD 1
S.B. No. 2196, SD 2, HD 2, CD 1
S.B. No. 2212, SD 1, HD 2, CD 1
S.B. No. 2218, SD 1, HD 2, CD 1
S.B. No. 2293, SD 1, HD 1, CD 1
S.B. No. 2314, SD 1, HD 2, CD 1
S.B. No. 2334, SD 2, HD 1, CD 1
S.B. No. 2341, SD 1, HD 1, CD 1
S.B. No. 2345, SD 1, HD 1, CD 1
S.B. No. 2365, SD 1, HD 1, CD 1
S.B. No. 2373, SD 1, HD 2, CD 1
S.B. No. 2396, SD 1, HD 3, CD 1
S.B. No. 2434, HD 1, CD 1
S.B. No. 2449, SD 2, HD 2, CD 1
S.B. No. 2456, SD 2, HD 1, CD 1
S.B. No. 2459, SD 2, HD 1, CD 1
S.B. No. 2542, SD 2, HD 2, CD 1
S.B. No. 2546, SD 2, HD 1, CD 1
S.B. No. 2644, SD 1, HD 1, CD 1
S.B. No. 2652, SD 2, HD 2, CD 1
S.B. No. 2663, SD 2, HD 2, CD 1
S.B. No. 2668, SD 2, HD 1, CD 1
S.B. No. 2730, SD 2, HD 2, CD 1
S.B. No. 2768, SD 2, HD 1, CD 1
S.B. No. 2785, SD 1, HD 1, CD 1
S.B. No. 2803, SD 1, HD 1, CD 1
S.B. No. 2824, SD 2, HD 1, CD 1
S.B. No. 2825, SD 1, HD 2, CD 1
S.B. No. 2826, SD 2, HD 1, CD 1
S.B. No. 2827, SD 1, HD 1, CD 1
S.B. No. 2830, SD 2, HD 2, CD 1
S.B. No. 2833, SD 1, HD 1, CD 1
S.B. No. 2838, SD 2, HD 1, CD 1
S.B. No. 2840, SD 2, HD 1, CD 1
S.B. No. 2843, SD 2, HD 3, CD 1
S.B. No. 2849, SD 1, HD 1, CD 1
S.B. No. 2867, SD 2, HD 2, CD 1
S.B. No. 2876, HD 2, CD 1
S.B. No. 2878, SD 2, HD 2, CD 1
S.B. No. 2879, SD 2, HD 1, CD 1
S.B. No. 2895, SD 1, HD 1, CD 1
S.B. No. 2933, SD 2, HD 2, CD 1
S.B. No. 2961, SD 2, HD 2, CD 1
S.B. No. 2977, SD 1, HD 2, CD 1
S.B. No. 3001, SD 2, HD 2, CD 1
S.B. No. 3009, SD 2, HD 2, CD 1
S.B. No. 3051, SD 2, HD 1, CD 1
S.B. No. 3061, HD 1, CD 1
S.B. No. 3069, SD 2, HD 1, CD 1
S.B. No. 3076, HD 1, CD 1
S.B. No. 3087, SD 1, HD 1, CD 1
S.B. No. 3092, SD 1, HD 1, CD 1
S.B. No. 3102, SD 2, HD 1, CD 1
S.B. No. 3166, HD 1, CD 1
S.B. No. 3171, SD 2, HD 2, CD 1
S.B. No. 3203, SD 1, HD 1, CD 1
S.B. No. 3227, SD 2, HD 1, CD 1
S.B. No. 3255, SD 2, HD 2, CD 1

House Communication dated April 29, 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 agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 2164, HD 1, SD 1
H.B. No. 2224, HD 1, SD 2
H.B. No. 2271, HD 1, SD 2
H.B. No. 2547, SD 1
H.B. No. 2614, SD 1
H.B. No. 2929, HD 1, SD 1
H.B. No. 2954, SD 1
H.B. No. 2955, HD 1, SD 1
H.B. No. 2971, HD 1, SD 2
H.B. No. 3085, HD 2, SD 1
H.B. No. 3191, HD 1, SD 2

House Communication dated April 29, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on March 6, 2008, and gives notice of intent to agree for the following House Bill:

H.B. No. 1755, HD 1, SD 1

House Communication dated April 29, 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 reconsidered its action taken in disagreeing to the amendments made by the Senate, on April 10, 2008, and gives notice of intent to agree for the following House Bills:

H.B. No. 2387, HD 1, SD 2
H.B. No. 2605, HD 2, SD 1
H.B. No. 2710, HD 2, SD 2
H.B. No. 3150, HD 2, SD 1

House Communication dated April 29, 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 agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolution:

H.C.R. No. 138, HD 2, SD 1

SIXTIETH DAY

Thursday, May 1, 2008

The House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, convened at 10:06 o'clock a.m., with the Speaker presiding.

The invocation was delivered by Representative Joey Manahan, after which the Roll was called showing all members present with the exception of Representatives Bertram, Nakasone and Sagum, who were excused.

On motion by Representative B. Oshiro, seconded by Representative Meyer and carried, reading of the Journals was dispensed with and the Journals of the Forty-Sixth, Forty-Seventh, Forty-Eighth, Forty-Ninth, Fiftieth, Fifty-First, Fifty-Second, Fifty-Third, Fifty-Fourth and Fifty-Fifth Days were approved. (Representatives Bertram, Nakasone and Sagum were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 337 through 340; and 343 through 350) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 337, informing the House that on April 29, 2008, the following bill was signed into law:

S.B. No. 3004, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 041)

Gov. Msg. No. 338, informing the House that on April 29, 2008, the following bill was signed into law:

H.B. No. 3197, SD 1, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE STATE HIGHWAY SYSTEM." (ACT 042)

Gov. Msg. No. 339, informing the House that on April 29, 2008, the following bill was signed into law:

H.B. No. 3140, SD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE HAWAII PUBLIC HOUSING AUTHORITY." (ACT 043)

Gov. Msg. No. 340, informing the House that on April 29, 2008, the following bill was signed into law:

H.B. No. 2301, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO DENTISTRY." (ACT 044)

Gov. Msg. No. 343, dated April 29, 2008, transmitting the Report of the Temporary Hawaii Inter-Island Ferry Oversight Task Force.

Gov. Msg. No. 344, informing the House that on April 29, 2008, pursuant to Section 16 of Article III of the State Constitution, the following bill became law without her signature, stating:

"Dear Mr. Speaker and Members of the House:

Re: Senate Bill No. 3200 SD1 HDl

On April 29, 2008, Senate Bill No. 3200, entitled "A Bill for an Act Relating to Governmental Retention of Attorneys," became law without my signature, pursuant to Section 16 of Article III of the Constitution of the State of Hawaii.

The bill would require the Attorney General to retain an attorney for a legislative or judicial office if legal representation was requested for that office by the Chief Justice, or the Speaker and Senate President jointly, and the Attorney General declined to provide that representation on the ground of conflict of interest.

This measure is troubling because it would require the Attorney General to fund legal services from the budget of the executive branch for a separate branch of government. There appears to be no reason why such funding cannot come from the budget of the branch that is requesting the legal services. Moreover, there does not appear to be any pressing need for this legislation, as both the legislative and judicial branches of government have statutory authority to retain attorneys without the consent of the Attorney General.

However, the circumstances covered by the legislation are extremely limited. The legislation would be applicable only if there was a request for legal services, the request was declined by the Attorney General, and the specified reason by the Attorney General was conflict of interest. An argument can be made that if the Attorney General's stated reason for declining to provide representation is a conflict of interest and, thus, absent such a conflict the Attorney General would have provided legal services, the fiscal burden of the Attorney General's conflict of interest ought to fall on his department.

For the foregoing reasons, I allowed Senate Bill No. 3200 to become law as Act 45, effective April 29, 2008, without my signature.

Sincerely,
/s/
LINDA LINGLE"

Gov. Msg. No. 345, informing the House that on April 30, 2008, the following bill was signed into law:

S.B. No. 2956, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO MILK." (ACT 046)

Gov. Msg. No. 346, informing the House that on April 30, 2008, the following bill was signed into law:

S.B. No. 3005, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO FEDERAL TAX QUALIFICATION OF THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 047)

Gov. Msg. No. 347, informing the House that on April 30, 2008, the following bill was signed into law:

S.B. No. 2569, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MUSEUM OF HAWAIIAN MUSIC AND DANCE." (ACT 048)

Gov. Msg. No. 348, informing the House that on April 30, 2008, the following bill was signed into law:

S.B. No. 3228, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT EMPLOYEES AT HANSEN'S DISEASE FACILITIES." (ACT 049)

Gov. Msg. No. 349, informing the House that on April 30, 2008, the following bill was signed into law:

S.B. No. 3240, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE DRIVER'S LICENSE." (ACT 050)

Gov. Msg. No. 350, informing the House that on April 30, 2008, the following bill was signed into law:

H.B. No. 2254, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS." (ACT 051)

The following messages from the Governor (Gov. Msg. Nos. 341 and 342) were announced by the Clerk and were received for possible consideration at a later date:

Gov. Msg. No. 341, transmitting H.B. No. 2263, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 29, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2263

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2263, entitled "A Bill for an Act Relating to Harbors."

The purpose of this bill is to amend section 266-3, Hawaii Revised Statutes, to grant the Director of Transportation the specific power to adopt administrative rules limiting the noise emanating from State commercial harbors. The bill also amends section 291-36, Hawaii revised Statutes, to exempt from scaling any vehicles used in transshipping neighbor island bound cargo directly between piers located in Honolulu Harbor and any activities limited to crossing a public road, street, or highway within the State at locations approved by the director of transportation, in the case of State highways, or the county engineer, in the case of county roads and streets.

This bill is objectionable because part I relating to harbor noise imposes an unduly burdensome responsibility on the Department of Transportation, Harbors Division, to adopt administrative rules for the regulation and enforcement of noise emanating from State commercial harbors. The Harbors Division is currently implementing the Harbors Modernization Plan, which will understandably add to the activities of our harbors. Persons who moved into the area near commercial harbors knew, or should have known, that there would be noise emanating from the harbor due to cargo operations. To reduce noise, cargo operations may have to be restricted or costly noise abatement programs may have to be implemented, which could have harmful effects on the transport of goods into and out of the State and through the commercial harbor system.

Part II of the bill relating to the scaling of vehicles is also objectionable because it is in the interest of public safety that the Department of Transportation be able to ascertain the weight of all cargo-transporting vehicles that use the State's highways and bridges. All bridges have weight limitations and the weight of all cargo-transporting vehicles should be verified for compliance. In addition, over-weight vehicles increase the deterioration of highways and bridges at a faster rate and accelerate the need for repair and maintenance. Scaling ensures that vehicles remain within acceptable and safe weight limits and that violators pay their fair share of repair and maintenance costs.

For the foregoing reasons, I am returning House Bill No. 2263 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 342, transmitting H.B. No. 2045, SD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
April 29, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 2045

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 2045, entitled "A Bill for an Act Relating to Establishing a Global Youth Center."

The purpose of this bill is to establish a Global Youth Center in the University of Hawaii. The purpose of the Center is to generate and link an international framework in which youth from around the world will actively engage in the attainment of world peace, environmental sustainability, and human and economic productivity for future generations. These youth shall, pursuant to the provisions of the bill, "collaborate with Hawaii's leaders in education, politics, business, the East-West Center, and appropriate international organizations."

The goals of the Global Youth Center proposed in this bill are commendable. However, after reviewing this measure in consideration with existing programs and resources, I cannot approve this bill.

Global Youth Center Inc. is a non-profit entity registered with the State of Hawaii and is awaiting final approval of their non-profit status from the Internal Revenue Service. Embedding a non-profit organization within a State agency raises the possibility of violating that portion of the State ethics law (HRS 84-3 and 84-13) and the published State Ethics Code (revised January 2007), which states, "You may not use state time, equipment, or facilities for private business purposes, including for-profit and non-profit corporations." Global Youth Center Inc. currently occupies office space in a building located on land owned by the University of Hawaii. This bill does not address whether employees of the Global Youth Center will be employees of the State and bound by applicable laws including collective bargaining, civil service, and the procurement code.

The University of Hawaii testified that they had concerns with the cost impact and placement of this program in the University. This bill does not address those concerns and provides no funding or administrative support to the University. The University of Hawaii identified its budget priorities as approved by the Board of Regents, and the Global Youth Center was not included as a priority. Further, the University of Hawaii was not involved in the planning process for the Center.

I encourage Global Youth Center Inc. to continue pursuing status as a non-profit registered in the State. Upon receiving final approval as a non-profit from the Internal Revenue Service, Global Youth Center Inc. can pursue appropriate State support through the Grant-in-Aid process.

For the foregoing reasons, I am returning House Bill No. 2045 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 723 through 731) were received and announced by the Clerk:

Sen. Com. No. 723, transmitting H.B. No. 2168, H.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS," which passed Third Reading in the Senate on April 29, 2008.

Sen. Com. No. 724, transmitting H.C.R No. 20, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO PROVIDE ADULT RESIDENTIAL CARE HOME OPERATORS WITH THE SERVICES NECESSARY TO ASSIST THEM IN PROVIDING CARE FOR ADULTS," which was adopted by the Senate on April 29, 2008.

Sen. Com. No. 725, transmitting H.C.R No. 25, entitled: "HOUSE CONCURRENT RESOLUTION URGING ALL HOSPITALS THAT PROVIDE MEDICAL CARE TO NEWBORNS TO PROVIDE PARENTS OF THE NEWBORN WITH WRITTEN EDUCATIONAL INFORMATION APPROVED BY THE DEPARTMENT OF HEALTH ABOUT THE DANGEROUS EFFECTS OF SHAKEN BABY SYNDROME AND THE METHODS OF PREVENTING SHAKEN BABY SYNDROME," which was adopted by the Senate on April 29, 2008.

Sen. Com. No. 726, transmitting H.C.R No. 51, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH TO ASSESS THE ADVANTAGES AND DISADVANTAGES OF REQUIRING CERVICAL CANCER VACCINATIONS FOR GIRLS BEFORE THEY ENTER THE SEVENTH GRADE," which was adopted by the Senate on April 29, 2008.

Sen. Com. No. 727, transmitting H.C.R No. 240, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE GOVERNOR TO DESIGNATE THE MONTH OF SEPTEMBER AS "BRAIN ANEURYSM AWARENESS MONTH"," which was adopted by the Senate on April 29, 2008.

Sen. Com. No. 728, transmitting H.C.R No. 277, H.D. 2, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE HAWAII STATE CENTER FOR NURSING TO ENCOURAGE PARTIES TO WORK TOGETHER FOR THE COMMON GOAL OF INCREASING THE SUPPLY OF WELL-EDUCATED AND DEDICATED NURSES," which was adopted by the Senate on April 29, 2008.

Sen. Com. No. 729, dated April 29, 2008, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 94, H.D. 1, S.D. 2, C.D. 1
H.B. No. 118, S.D. 1, C.D. 1
H.B. No. 523, H.D. 2, S.D. 1, C.D. 1
H.B. No. 660, S.D. 1, C.D. 1
H.B. No. 661, H.D. 1, S.D. 3, C.D. 1
H.B. No. 931, H.D. 1, S.D. 1, C.D. 1
H.B. No. 1153, S.D. 1, C.D. 1
H.B. No. 1356, H.D. 2, S.D. 2, C.D. 1
H.B. No. 1365, S.D. 2, C.D. 1
H.B. No. 1832, H.B. No. 1, S.D. 1, C.D. 1 [*sic*]
H.B. No. 2062, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2139, H.D. 2, S.D. 1, C.D. 1
H.B. No. 2204, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2245, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2253, H.D. 2, S.D. 1, C.D. 1
H.B. No. 2255, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2272, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2346, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2366, S.D. 1, C.D. 1
H.B. No. 2372, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2386, S.D. 2, C.D. 1
H.B. No. 2388, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2438, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2450, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2486, S.D. 1, C.D. 1
H.B. No. 2492, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2500, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2511, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2519, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2520, H.D. 3, S.D. 2, C.D. 1
H.B. No. 2550, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2557, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2661, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2697, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2700, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2727, H.D. 2, S.D. 1, C.D. 1
H.B. No. 2730, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2739, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2761, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2763, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2772, H.D. 3, S.D. 1, C.D. 1
H.B. No. 2781, H.D. 2, S.D. 2, C.D. 1
H.B. No. 2810, H.D. 1, S.D. 1, C.D. 1
H.B. No. 2847, S.D. 1, C.D. 1
H.B. No. 2920, S.D. 1, C.D. 1
H.B. No. 2953, S.D. 1, C.D. 1
H.B. No. 2972, H.D. 1, S.D. 2, C.D. 1
H.B. No. 2977, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3002, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3040, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3126, S.D. 2, C.D. 1
H.B. No. 3173, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3174, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3175, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3177, H.D. 1, S.D. 2, C.D. 1
H.B. No. 3178, S.D. 2, C.D. 1
H.B. No. 3179, S.D. 1, C.D. 1
H.B. No. 3249, H.D. 1, S.D. 1, C.D. 1
H.B. No. 3331, H.D. 2, S.D. 2, C.D. 2
H.B. No. 3383, S.D. 1, C.D. 1
H.B. No. 3386, H.D. 1, S.D. 2, C.D. 1
S.B. No. 69, S.D. 2, H.D. 3, C.D. 1
S.B. No. 988, S.D. 2, H.D. 3, C.D. 1
S.B. No. 1035, S.D. 1, H.D. 1, C.D. 1
S.B. No. 1337, H.D. 1, C.D. 1
S.B. No. 1487, S.D. 2, H.D. 2, C.D. 1
S.B. No. 1526, S.D. 2, H.D. 3, C.D. 1
S.B. No. 1793, S.D. 1, H.D. 1, C.D. 1
S.B. No. 1802, H.D. 1, C.D. 1
S.B. No. 1891, S.D. 1, H.D. 1, C.D. 1
S.B. No. 1961, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2004, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2041, H.D. 1, C.D. 1
S.B. No. 2054, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2055, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2080, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2146, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2150, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2157, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2163, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2170, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2196, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2212, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2218, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2245, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2293, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2314, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2334, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2341, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2345, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2365, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2373, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2396, S.D. 1, H.D. 3, C.D. 1

S.B. No. 2434, H.D. 1, C.D. 1
S.B. No. 2449, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2456, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2459, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2542, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2546, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2644, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2652, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2663, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2668, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2730, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2768, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2785, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2803, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2824, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2825, S.D. 1, H.D. 2, C.D. 1
S.B. No. 2826, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2827, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2830, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2833, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2838, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2840, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2843, S.D. 2, H.D. 3, C.D. 1
S.B. No. 2849, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2867, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2876, H.D. 2, C.D. 1
S.B. No. 2878, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2879, S.D. 2, H.D. 1, C.D. 1
S.B. No. 2895, S.D. 1, H.D. 1, C.D. 1
S.B. No. 2933, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2961, S.D. 2, H.D. 2, C.D. 1
S.B. No. 2977, S.D. 1, H.D. 2, C.D. 1
S.B. No. 3001, S.D. 2, H.D. 2, C.D. 1
S.B. No. 3008, S.D. 2, H.D. 1, C.D. 1
S.B. No. 3009, S.D. 2, H.D. 2, C.D. 1
S.B. No. 3023, S.D. 2, H.D. 2, C.D. 1
S.B. No. 3051, S.D. 2, H.D. 1, C.D. 1
S.B. No. 3061, H.D. 1, C.D. 1
S.B. No. 3069, S.D. 2, H.D. 1, C.D. 1
S.B. No. 3076, H.D. 1, C.D. 1
S.B. No. 3087, S.D. 1, H.D. 1, C.D. 1
S.B. No. 3092, S.D. 1, H.D. 1, C.D. 1
S.B. No. 3102, S.D. 2, H.D. 1, C.D. 1
S.B. No. 3166, H.D. 1, C.D. 1
S.B. No. 3171, S.D. 2, H.D. 2, C.D. 1
S.B. No. 3203, S.D. 1, H.D. 1, C.D. 1
S.B. No. 3227, S.D. 2, H.D. 1, C.D. 1
S.B. No. 3255, S.D. 2, H.D. 2, C.D. 1

Sen. Com. No. 730, dated April 29, 2008, informing the House that the Senate has this day discharged all conferees on the part of the Senate to the following bill:

S.B. No. 1491, SD 1, HD 1 [*sic*] "RELATING TO CONTROLLED SUBSTANCES."

Sen. Com. No. 731, dated April 29, 2008, informing the House that the Senate has this day reconsidered its action taken on April 29, 2008, in passing H.B. No. 1832, H.D. 1, S.D. 1, C.D. 1, on Final Reading and that said bill has been recommitted to Conference Committee for further consideration.

INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Pine introduced her staff, Mr. John Gollner, Ms. Venus Lee, and Mr. Jame Schaedel.

Representative Evans introduced her staff, Mr. Tom Patrick McAuliffe, Office Manager Ms. Tommie Suganuma, and Ms. Kylie Alcos.

Representative Ito introduced friends from Kaneohe, Mr. Jerry Kahuiwa, Mrs. Rocky Maite Kaluiwa, Mr. Alika Kaluiwa, Aunty Alice Chin Hewett, Aunty Caroline Bright, and Ms. Mahelani Keha Saifer.

Representative McKelvey introduced his staff, Ms. Tish Mercado, Ms. Lauren Valle, and Ms. Terii Perez.

Representative Saiki introduced Chair of the McCully/Moiliili Neighborhood Board, Mr. Ron Lockwood.

Representative Evans introduced an advocate for the families of the incarcerated, Ms. Kat Brady.

Representative Awana introduced her staff, Ms. Kanai Bulawan.

Representative Berg introduced her staff, Mr. Ian Lind.

Representative Thielen introduced Mr. Henry Curtis of Life of the Land.

Representative Ching recognized representatives of AARP.

ORDER OF THE DAY

SUSPENSION OF RULES

Representative B. Oshiro moved that the rules of the House be suspended for the purpose of considering certain bills on Final Reading on the basis of a modified consent calendar, seconded by Representative Meyer and carried. (Representatives Bertram, Nakasone and Sagum were excused.)

UNFINISHED BUSINESS

Conf. Com. Rep. No. 139-08 and H.B. No. 3377, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3377, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Har rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. Mr. Speaker I stand in strong support of Conference Committee Report No. 139-08, H.B. No. 3377, SD 2, CD 1. Mr. Speaker, vehicle ignition interlock systems are not a new highway safety concept. Unfortunately Hawaii is one of five states that have yet to adopt these life saving devices, which is why it was no surprise that Hawaii has the highest percentage of alcohol related fatalities in the United States. Due to the advances in technology, and painstaking trial and error in other states, Hawaii is very fortunate now to be in a position to pass legislation to implement this program so that we can get drunken drivers off of our roads and save lives.

"In March of last year, I was hit head on by a drunk driver. By the grace of God and the cars we were driving, I did not sustain any serious injuries. After further investigation, I discovered that the young man who had hit me had been arrested for drunk driving on several other occasions and that his license had been revoked. The fact that he was still driving demonstrates to me that revocation of licenses was not working to get drunken drivers off the road.

"More recently, there have been a multitude of drunken driving accidents and fatalities here in Hawaii. As a result of my accident I spoke to the Chair of Transportation about drafting legislation that

would assist us here in Hawaii in getting drunken drivers off of our roads and to accomplish our ultimate goal of saving lives.

"Last year, the House Transportation Committee teamed up with Mothers Against Drunk Driving about vehicle ignition interlock devices. Consequently during the 2007 Legislative Session, the House Transportation Committee passed House Concurrent Resolution 28, Requesting the Hawaii Department of Transportation to Study the Feasibility of Requiring Vehicle Ignition Interlock Devices for Convicted Drunk Driving Offenders. Many of the recommendations made by the task force were placed into this measure, and while we still have other issues to deal with, this legislation is the first step in part of a greater treatment paradigm.

"I want to thank the Chairs of Transportation, Judiciary, Finance and Leadership for supporting this life saving measure, as well as our Senate counterparts. Special thanks go out to LRB for assisting us with the difficult drafting of the complicated language in this bill, and of course to Mothers Against Drunk Driving for staying the course, and for their dedicated efforts to get drunk drivers off the road. This legislation is truly going to make a difference in the State of Hawaii because it is going to accomplish the ultimate objective of saving lives.

"I want to thank all of you for supporting this legislation. I know that the Governor too is in support of this legislation as well as our Minority Caucus. And I truly believe that this is one piece of legislation where we can truly say that we've done our jobs. We are going to save lives and I want to thank all of my colleagues in the House. Thank you very much, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Mr. Speaker in strong support and may I have the words of the previous speaker adopted as if they were my own, except for the part about the accident," and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3377, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HIGHWAY SAFETY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 140-08 and H.B. No. 2531, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2531, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative McKelvey rose in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support on this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2531, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE WEST MAUI TRANSPORTATION ACCESS PLAN," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 141-08 and H.B. No. 357, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 357, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ching rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. Mr. Speaker this bill appropriates funds to have the Department of Transportation conduct a pilot study to identify State and county intersections that may be unsafe or insufficient for elderly pedestrians, and to implement any immediate improvements to high risk crosswalks and road crossings.

"My district is a district which has had, unfortunately, many pedestrian accidents due to crosswalks or lack thereof. Mr. Speaker Hawaii has the highest percentage of senior age pedestrians in the country and our senior age pedestrian death rate is almost three times that of the rest of the United States. From 2001 to 2005, a total of 150 pedestrians were killed in Hawaii and that accounted for a quarter of all traffic related deaths in the State. With Honolulu's ever increasing traffic problem and traffic problems increasing on Neighbor Islands, it is even that much more important now to implement this study. Thank you very much."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Bill 357, Conference Draft 1 which seeks to immediately identify and implement improvements to high-risk crosswalks and road crossings throughout the State.

"Pedestrian safety is a concern held by many throughout the State, but it is especially high on the list of residents in my district who experience the realities of dense, urban living on a daily basis. According to *Honolulu Advertiser* reporter Rob Perez in April 2007, the State Department of Transportation identified the intersection of King and Punahou Streets, with 30 crashes, as the location with the second most major crashes during the period of 2002 through 2004.

"I am hopeful that with this bill, State and county officials will immediately implement improvements at our most dangerous intersections, wherever these intersections and road crossings may be. Because the beneficiaries of these improvements will be the elderly, children, and disabled persons who are the most at risk on our dangerous streets, I am in strong support of this bill."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of this measure that seeks to increase the safety of pedestrians, especially those who are elderly.

"The purpose of this bill is to appropriate funds to the Department of Transportation (DOT) for conducting a pilot study to identify State and county intersections where the time to cross the intersection is insufficient for elderly pedestrians and to implement any immediate improvements to high-risk crosswalks and road crossings.

"A report of elderly pedestrians prepared by SMS Research & Marketing Services for the Department of Transportation indicated that there are approximately 560 pedestrian injuries in Hawaii each year, and that an average of 28 pedestrians die each year after being struck by a car. Elderly pedestrians, age 65 and older, constituted the highest number of pedestrian fatalities when compared to all other age groups in Hawaii.

"Elderly pedestrians require more time to cross major intersections and crosswalks due to diminishing physical abilities. The limited traffic signal timeframe to cross a street puts elderly pedestrians at risk.

"The amended measure appropriates one million dollars to the Department of Transportation to:

(1) Work with the counties and nonprofit organizations to take immediate action steps to make high-risk crosswalks and roadways safer;

(2) Conduct a study to identify intersections at which the time for crossing is too short for elderly pedestrians; and

(3) Develop additional plans to make crosswalks and roadways safer.

"This measure also stipulates that the study conducted by DOT focus on several key points and that DOT submit a report of its findings, accomplishments, future plans, cost estimates, and any proposed legislation to the Legislature.

"I urge the Members to support this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 357, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRAFFIC SAFETY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 142-08 and H.B. No. 2843, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2843, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. Mr. Speaker this measure repeals the law imposing a $1 fee for each maritime 20 foot equivalent commercial container ship. This would derive a special fund income of some $550,000 per island. But this new bill takes us a step further, imposing a fee assessment based on $.50 per 1,000 pounds of freight, not only toward marine freight, but also air freight or any other means of shipment, foreign or domestic.

"During fiscal year 2006, some 7.1 billion pounds of commercial cargo entered into our State: 98.5 percent was via marine; and 1.4 percent from air. With this $.50 per 1,000 pounds fee, the total annual revenue is projected to be $7.1 million. Economically speaking and using a 15 percent deflation adjustment, or downward adjustment, the projected revenue would be some $6.035 million per annum: $85,000 attributed to air cargo income; and $5.95 million to marine cargo.

"Hawaii Department of Agriculture estimates they need at least some $6 million annually to support this biosecurity program to prevent the importation and spread of invasive species. Converting this weight methodology from cost to value in a comparative relationship, a 6,000 pound vehicle is used as an example. Therefore the fee assessment is $3 for freight costs based on this $.50 per 1,000 pounds assessment. With the assumption that a port of entry value of this vehicle is valued at $30,000, the fee cost of $3 to the $30,000 vehicle value, the cost value relationship result is very negligible Mr. Speaker: $.001 or 1/1,000th penny; or just 100th of 1 percent.

"Mr. Speaker, I believe that this body should strongly support this measure. Again the investment is microscopic. The perceived value is priceless. The State DOA continuously warns the Legislature saying, "The present problem is severe, the future very well may be even more dire, so piecemeal action will not be sufficient. Drastic improvements must be made now to stem the tide of invasive species." DOA further notes that ships alone bring in a half million sea containers carrying 25 million cartons of cargo into the State every year and another half million sea containers move interisland.

"More revealing is the fact that 20 new insects get established each year with 2 to 3 becoming significant pests, affecting agriculture, environment, and even our public health. HDOA's total estimate of annual costs to Hawaii with input values that include power outages, medical incidents, affects on tourism and endangered birds ranges anywhere from $485 million per year, to $1.9 billion with regard to the brown tree snake alone. The aggressive fire ants will cost us another estimated $200 million per year if it establishes residency.

"Last year, our State Legislature was generous in appropriating $650,000 in general funds to combat the invading varroa mites which can push our honey bee industry into extinction."

Representative Magaoay rose to yield his time, and the Chair, "so ordered."

Representative Tsuji continued, stating:

"Thank you, very much. The brown tree snakes have a tendency to cling to power lines, creating power outages. The fire ants, besides being very harmful to our agricultural industry, is considered a medical threat to our large senior population. We have a large percentage of elderly, including those of Asian and Pacific Islander ethnicity who have diabetes and are known to have a medical reaction to the fire ant's toxic sting. Our State plans an aggressive airports and harbors modernization and improvements program. The plans call for a coordinated effort with our biosecurity initiatives. There should be no lack of understanding or underestimation Mr. Speaker, of our unique concerns regarding the unwanted importation of these harmful organisms. The sustainable funding source as provided by this measure is absolutely necessary. Mahalo."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'll be voting no on this measure. Last year we passed a bill that established a fee of $1 per container. California has a fee that's quite a bit higher than that on a container. My experience in these 14 years is that once we set a fee or new tax, it never goes away and we just keep increasing it. The people of the State of Hawaii are really taxed to the max, and the cost of living here continues to go up.

"And as I read on the floor on Tuesday, a letter from one of my constituents, people are struggling and the concern is to somehow stem the bleeding, stop adding more and more costs to just the average guy in Hawaii. This bill if you looked at how it will affect various businesses and the consumers, because when businesses pay this, they pass it on to the consumer in increased costs.

"Currently an ocean container of frozen packaged food is charged $1 for their container. However, based on the new formula for calculating the inspection fee, as established in this bill, the same container will now cost an estimated $19. This will make it even more difficult for Hawaii businesses to keep up financially.

"I realize that we don't want all these different bugs and organisms getting in here, but this seems like a service that should be covered by general funds, not a special fee. It's something that affects the whole State, but once we add this, where will it end? Next year we'll make it $2 a ton. These special funds are not transparent. You have to make a special effort to find out how much money is in there. I believe that we should be just allocating general funds for this kind of a problem. Thank you, Mr. Speaker."

Representative Cabanilla rose to speak in support of the measure, stating:

"Just a quick rebuttal. In support. I would like to rebut the previous statement. Two days ago, I spoke on the Administration's request to

add four full-time positions to DCCA to micromanage money transmitters. Four full-time positions being added, and that's hundreds of thousands of dollars every day, Mr. Speaker. I could use that same argument that, that is a tax on small businesses, and when I spoke up against that measure, none of the people on the opposite side of the aisle spoke up to agree with me on that measure. Thank you, Mr. Speaker."

Representative Ward rose to speak in support of the measure with reservations, stating:

"Mr. Speaker I rise to rebut the rebuttal. Mr. Speaker the reality is in Hawaii since 2002 to 2007, the cost of living has risen 89 percent. That's reality, whether it's fuel or electricity, property taxes and on and on and on. What my colleague was simply trying to say is, let us Members be cautious. That everything that has a good cause has also a negative possibility to it. Every cost has a benefit, every benefit has a cost. We must be aware of that. I think it's like a *kabuki* play you have got to be aware of what's going on in the background. Every time we say this is a great thing. We have to be conscious that the people who are struggling and those who are not surviving very well because of this 89 percent increase. Every little increment is turning up the heat on the water that cooks the frog. When the water was boiling, the frog would never jump into it. But if it gets into warm water, it's comfortable, and then you slowly turn up the heat, you cook it to death. We don't want to do that to the people of Hawaii, Mr. Speaker. We have to be very conscious of the cost of living. This is a great cause that the Representative from Hilo spoke of but we have to be conscious of ratcheting up the heat on the people of Hawaii. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I speak in opposition. The Representative from Hilo makes some very good points. I don't disagree that we have to take this issue very seriously. However, when I go, and just within this year, going to the different grocery stores, as well as Costco, or wherever you shop, I've seen a significant increase in prices. There is a significant increase in prices when I'm going to check out my food, from milk to bread or whatever it is. When you take a look at this, it's not a miniscule type of increase. We are talking about currently on an ocean container, frozen packaged food is charged $1 to $2. However, based on this new formula established in this bill, the same container will now cost an estimated $19 for inspection.

"This also covers any goods that are transported not only by ship, but airplane and other modes of transportation. And one of the other things that we have to remember is that there's this legislation looming over us in California that basically states that we will be charged more for cargo coming in from Los Angeles and Oakland and other places in California. This is all higher costs for that food bill that we go and we check out on a daily basis to feed our family. If we don't keep an eye on these kinds of things and work, not against biosecurity, but being able to balance some of these things out so that we can help with the cost of living for our families. It comes down to real people, real issues for families out there. This is not some kind of thing where we just turn our backs to it and say, 'Let's wait until something disastrous happens.' We can do things now. These are the kinds of things that we're looking out for. And I hope that when we pass these types of legislation that we're seeing those kinds of faces out there that will be affected by this. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I just wish to express some reservations and I really agree with the words of the previous speaker. I feel that the California assessment, if it goes into effect, will seriously hurt our cost of living. My grocery bill was $150 last week and it's only for me and my husband, and believe me, I don't cook every night. If we're sending our bread to the mainland and it comes back here, it would really increase our cost of freight. I think the Neighbor Islands will feel it more than Oahu would. It's going to affect our pocket books and we're really going to notice it in the supermarkets because prices are going up there for many other reasons.

"This is a bad tax on our people, and I would much rather raise the money for invasive species by assessing outgoing tourists for debarkation tax or some other means. This is everything coming in. It affects us, and I'd rather catch people when they're going out. Thank you very much."

Representative Herkes rose to speak in support of the measure, stating:

"In support. Of course the war in Iraq is not costing us anything."

Representative Yamane rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm standing in support. Mr. Speaker, I didn't want to stand. I wasn't planning to. But in regards to this issue, I look at this bill as a protective measure that's going to help protect one of our most important industries, tourism.

"I had the privilege of going to Puerto Rico and hearing the coqui frog, and I could just imagine the devastation that would have on our economy and our tourism industry if we were known for having this type of invasive species in the Waikiki and Neighbor Island areas that are valuable to the economy. In addition Mr. Speaker, there are other invasive species that could come through our ports and our airlines to invade and impact negatively the quality of life of our citizens.

"Mr. Speaker I went to an activity at a park and was bitten by these red ants, quite a number of red ants and I could just imagine if these ants infected the playgrounds throughout my community, throughout our State. What parent would let their kids play in a playground infected by these types of invasive species? So Mr. Speaker, I rise in support. Thank you."

Representative Brower rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support. One of the few times I like to spend State money is for children and nature. I guess this is one of those times, I'm agreeing with the positive testimony given by the Chairs of the Department of Land and Natural Resources and the Department of Agriculture. It appears for the most part that the Administration supports this bill and it would be to raise by $0.50 every 100,000 pounds of freight coming into the islands.

"Currently we're loosing the war on invasive species and it may already cost us $400 million annually without this measure. Recently we've been losing the war to save our native *wiliwili* tree among others. I would agree with the Governor's Economic Momentum Commission which said that it was very important to review all fees to ensure adequate prevention and quarantine. And in testimony by the Chair of DLNR, 'A lack of adequate sustainable funding is the single greatest problem the State, federal and private agencies face in the fight to protect Hawaii from harmful invasive species.' Thank you."

Representative Sonson rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm standing in opposition to this measure and I'd like to adopt the words of the good Representative from Kahaluu. In addition to that Mr. Speaker, perhaps the Chair of Agriculture could clarify for me the extent of this formula that's been mentioned several times in the speeches we've heard before. As I look at the numbers, it seems like its $0.50 not for every 100,000 that was previously mentioned but it's $0.50 for every 1,000 pounds of freight into the State or part thereof. So this part thereof means part

of the 1,000, which means five pounds? Could a computer come in as freight and be charged $0.50? Could anything shipped and bought by catalog and come in as freight be charged $0.50? Anything that comes in and is labeled as freight, or labeled as passenger goods are included in this.

"So it's very broad and will include anything from airfreight or other transporting freight, foreign or domestic brought into the State. So it could be catalog purchases. It could be anything that's ordered through the Internet, as long as it comes in as freight. So it's $0.50 for anything that's 1,000 pounds or less.

"I'm not sure if that's what we intended to do, but if it is and if this is what I fear that it says it does, then I think this would be a huge tax on the people of Hawaii at a time when the economy is really slowing down. I believe that this is a huge burden to carry by the people of Hawaii. So those who support this, please be aware of these words or the accurate details in this bill. If I'm wrong then I'm wrong, but that's what I see, that's what I understand at this point and I think I can't support such a bill at this point. Thank you."

Representative Ward rose to respond, stating:

"Mr. Speaker, I rise again with reservations. Mr. Speaker let us not be confused. No one wants ants in the pants of the Representative from Mililani or any of his constituents, or anybody anywhere in Hawaii. That's not what we're talking bout. That is the good part of the bill. But let us not be confused about money as the solution.

"All of us know in the body prior to the SuperFerry, no one knew that the 500,000 containers per year that come into this place and go between the islands on our barges were never inspected. The airlines that were going in and out were never inspected. The construction workers' boots that they would walk in and out of the airplanes were never inspected. Until the SuperFerry came, we didn't realize we had a management not a money problem, but now we realize we have both. We're only saying let's pay attention to one. Just throwing money at it is not going to do it.

"This one is well-intended, but let us be aware of the costs that we put on the back of the people of Hawaii in the management of our resources. Heretofore, when all the things came here, the coqui frog and all the other things, that was a mismanagement that was a lack of oversight in what was coming and going. Now we know. Now we're wiser. And hopefully we can do better."

Representative Finnegan rose in opposition to the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in opposition of C.C.R. 142, H.B. 2843, H.D. 2, S.D. 2, C.D. 1 which expands the items subject to the inspection, quarantine, and eradication service fee (inspection fee) to include any freight brought into the State.

"This bill will impose a significant increase of the current inspection fee for all commercial freight regardless of the mode of transportation. As an example, the current cost of inspecting an ocean container of frozen packaged food is between $1 and $2; the new formula for calculating the inspection fee on the same container will cost $19. An increase in inspection fees will always translate to the consumer and will make it even more difficult for small Hawaii businesses to keep up financially.

"I was also disappointed that the Representative from Ka'u used the cost of the war in Iraq in his argument as a pot shot at the current Administration. It was an uncalled for statement that had no relevance or relation to what was being debated on the Floor.

"Thank you, Mr. Speaker."

Representative Yamashita rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in support of HB2843, CCR142-08.

"The cost of living in Hawaii has risen sharply, and some opponents of this measure have made the claim that a fee charged against those shipping goods into the State will only compound the price of paradise. However, it is clear that the up-front cost charged shippers is a fraction of the amount the State would pay, should an invasive species outbreak occur.

"Secondly, some opponents of this measure have argued that funding this measure through the State's general funds, as opposed to charging shippers directly, would ease the financial burden on Hawaii's consumers. We have examined this possibility closely, but by directly charging shippers, the correlation between fees and careless shipping practices is more greatly reinforced. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2843, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES," passed Final Reading by a vote of 44 ayes to 4 noes, with Representatives Finnegan, Meyer, Pine and Sonson voting no, and with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 143-08 and H.B. No. 3120, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3120, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support, but with reservations. This is the bill dealing with the animal quarantine facilities and the fact that the Board of Agriculture would like to lease the property to another entity. The concern in the various Committees was that the law, as it exists now says, fair market value. That they should figure out the lease based on the value of the property. And it was felt that that would be so high that you'd have no takers.

"On the other hand, when they did put it out to bid they had two different groups make an offer to pay nothing. And that seemed to be okay with the Department of Agriculture, but it was not acceptable to many legislators that were listening to the testimony. So what we ended up with now after Conference between the House and the Senate is the wording, 'A reasonable lease rent as determined by the Board of Agriculture.' My concern is, since it looked like they determined paying nothing was acceptable, this leaves it wide open for that.

"This is property in Halawa Valley right next to property owned by the Queen's Hospital that is leased for multi-millions of dollars to various businesses. The old Crazy Shirts was up there, Hobart Manufacturing Company, and various tech companies. It's ten minutes from Downtown Honolulu. This is very valuable property and yet we are leaving it up to the Department of Agriculture to decide what is reasonable.

"I believe that the government and the Legislature have a responsibility to see that they handle their properties and assets responsibly. You can take into consideration the Humane Society who was one of those bidders. The Humane Society does good, fine work. They also have a lot of money in various accounts. People who

are so appreciative of the work that they do, when they pass away they leave millions of dollars to the Humane Society. I think we have a responsibility to try to maximize revenues while still being reasonable, and that's my concern with this bill. Thank you."

Representative Tsuji rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Tsuji's written remarks are as follows:

"The Halawa animal quarantine facility is ideal for an animal shelter because of its central location. Hawaii currently lacks sufficient companion animal shelters, particularly for use during emergencies and natural disasters.

"This bill seeks to provide greater flexibility to the Board of Agriculture in contracting the use or rental of animal quarantine facilities or property.

"It is the intent that the Board of Agriculture shall consider such important factors as the length of the lease to be awarded, the cost of improvements to be expended by the lessee, whether the lessee is a profit or not-for-profit organization, the benefit to the public, and the financial viability of the lessee when determining a reasonable lease rent."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3120, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL QUARANTINE FACILITIES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 145-08 and H.B. No. 3352, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 3352, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of Conference Committee Report 145-08. The purpose of this bill is to ensure effective and reasonable advocacy services to persons with developmental disabilities or mental illnesses by requiring an audit of the agency designated by State law to ensure the protection of persons with such disabilities. This is to ensure that State funds are being spent in accordance with applicable law.

"First, the Hawaii Disability Rights Center, or HDRC, has not been subject to State review or oversight in the thirty years since its designation. Mr. Speaker if I may break it down in this matter. HDRC has never had a State audit in its thirty-year history – never. The State audit would ensure that protection and advocacy systems use of public funds in Hawaii is appropriate, efficient and in conformance with State law. The audit will review substantially more than a federal audit and may even confirm that HDRC has fulfilled their mandated and fiduciary responsibilities to the State and our disabled population.

"The audit will also provide information about the management of HDRC and provide the State with information that promotes an understanding of HDRC's financial condition. Ultimately this audit will serve to improve HDRC's operations and benefit HDRC by identifying their strengths and areas of concern. I respectively urge Members to support House Bill 3352. Thank you, Mr. Speaker."

Representative Belatti rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition. I didn't plan on standing up on this, but after listening to my colleague's comments I just need to state for the record that throughout the life of this bill I was very concerned about the use of an audit against one agency when there is an ongoing lawsuit. It seems to me that this is a very targeted audit that might be unnecessary and that once again may be overstepping our boundaries. The question I would pose to Members is: should we audit every single nonprofit that receives State monies through the grant-in-aid process? I think the answer would be no. I understand the advocates of this bill and why they would want this audit, but at this time I can't support it. And I would rather see this taken care of through the judicial process. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 3352, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER," passed Final Reading by a vote of 44 ayes to 4 noes, with Representatives Belatti, McKelvey, Meyer and Rhoads voting no, and with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 146-08 and H.B. No. 2863, HD 2, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2863, HD 2, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered." [Note: Representative Shimabukuro later changed her vote to an aye vote with reservations.]

Representative Shimabukuro's written remarks are as follows:

"Mr. Speaker, I rise to speak with reservations regarding HB 2863 – Relating to the Establishment of a Renewable Energy Facility Siting Process.

"While I am strongly in favor of environmentally friendly renewable energy projects, I cannot support a process that bypasses laws and rules of county and State that have been enacted over many years to protect both our environment and the public's right to provide input.

"The need for clean and affordable energy is but one of several situations, bordering on crisis, that presents challenges for our State and nation. As Chair of the Committee responsible for dealing with our current affordable housing crisis, I have had to weigh arguments that favor and oppose expediting long-established permitting processes. In making my own decisions, I have seen the importance of striking a reasonable balance.

"This measure, in my opinion, does not meet the "balance" test. It puts too much power in the hands of one governmental agency and its newly established coordinator. It takes away power from legislative bodies and from the community.

"This bill deals with big projects—those with at least 200 megawatts of capacity. The bill description focuses on the "siting." But as we read through the bill, we see that it also addresses the wider impact of transmission lines. We are all familiar with past power line controversies where community input proved invaluable. This bill would deny the public many of the traditional avenues to exercise their rights as citizens.

"For these reasons, Mr. Speaker, I have strong reservations about this bill."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm in support with just a few brief comments. Mr. Speaker, this measure has been something that I've been watching closely and I think it demonstrates our commitment to renewable energy in this State. The debate throughout the Session has been whether we develop a consolidated or a coordinated approach to permitting renewable energy facilities. What I really appreciate about this bill is that the House and the Senate have chosen a coordinated process. As you look through this bill, one thing I would like to stress is that the environmental impact statement process is preserved and that is the threshold matter that needs to be resolved before any of the other permits need to be approved. I think this protects the public input process and it very clearly shows that businesses cannot jump over the EIS process. So for those reasons I support this. I know that there are some advocates in the community who are not happy with this bill, but again, I think it does demonstrate a forward looking approach to how we deal with renewable energy. Thank you, Mr. Speaker."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I am in strong support, and may I have the words of the previous speaker entered into the Journal as if they were my own. I also have just a brief comment. Oil, Members is at $120 a barrel. It is expected to go to $225 a barrel by the year 2012. The world is looking at Hawaii. We can either be the leader and prepare for the future or we can face the wrath. But we have to act now. It preserves the environmental review process, but it also allows us to move forward quickly. We are running out of time Members. Thank you."

Representative Thielen rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. In support with some reservations that I'd like to express. This bill establishes a renewable energy facility siting process to expedite the review and action upon State and county permits necessary for the siting, development, construction and operation of a renewable energy facility of at least 200 megawatts of electricity. The concerns I have are, what is the renewable energy. And I would like to just note that when, if it's properly done, has the good EROEI and what that alphabet stands for is Energy Returned On Energy Invested. So wind is successful, biofuels are a loser and may just benefit certain well-leveraged players only in Brazil, and only in a very special set of circumstances will biofuels work and we do not share those circumstances. So to the effect that the siting is for a renewable energy facility that is wind or solar, I do support that.

"I also like the provision that prohibits the energy resources coordinator from accepting a permit plan application for a renewable energy facility prior to the acceptance of an environmental impact statement for the facility. That has it in the correct order. An EIS first, then we can accept the permit plan.

"The other thing that I think is positive is that this authorizes the Public Utilities Commission to establish guidelines and timetables for the creation and implementation of power purchase agreements for the purposes of assisting the renewable energy facility's siting process. That's been the fact that's been lacking. We need to get those power purchase agreements moving forward for renewable energy systems and not let the monopoly utility prevent those from moving forward.

"But again I say wind, solar, and of course ocean technology, those are excellent. I think we must be terribly careful not to go the biofuels way because we will then be using our land not for food to feed our people, but for fuel, and it won't be EROEI, the energy returned on the energy invested will be a loser in this. Thank you."

Representative Shimabukuro rose, stating:

"I'm sorry, Mr. Speaker. After hearing the comments can I change my no vote to an aye vote with reservations."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker I rise in support. I know it's increasingly become popular to be against biofuels. It's politically correct to speak against them. And as the previous speaker from Kailua mentioned, we are not the mainland, and we are not other places. I think that has to be taken seriously into consideration. Those of us who were here 10 years, 15 years ago know that we still have sugar land, we still have ag land. Mr. Speaker the reality is now, 60 percent of our land is growing weeds. And as the speaker from the other side of the aisle said last week, we're either going to grow houses or grow weeds unless we do something with the land. I would submit that if we don't put biofuels, the chances of more weeds and more houses increases exponentially the longer we wait. If biofuels are not good, well let's use them as a marker on our properties. Let the stuff grow and then when something better comes along, let us do it. But growing weeds and growing houses Mr. Speaker, is not the response and the answer for Hawaii. Thank you."

Representative Finnegan rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong support of C.C.R. 146, H.B. 2863, H.D. 2, S.D. 2, C.D. 1. This measure establishes a renewable energy facility sitting process to expedite the review and action upon State and county permits necessary for the siting, development, construction, and operation of a renewable energy facility of at least 200 megawatts of electricity. This measure also establishes a Renewable Energy Facility Siting Special Fund and provides the Energy Resources Coordinator with the authority to establish and implement a consolidated application process to facilitate streamlined permitting of a renewable energy facility.

"This bill represents a set of the most important energy initiatives being taken up by the Legislature this Session. These measures recognize that for decades, permitting is one of the key barriers to the development of renewable energy projects in Hawaii.

"The United States Department of Energy consultants who are experienced in funding large energy projects have noted that Hawaii's reputation in the financial community as being among the most difficult states to get projects permitted in a timely and predictable fashion. This impedes significant capital investment in the State's drive to a renewable energy future, as expressed by the goal of 70% renewable energy for the Hawaii Clean Energy Initiative which is a critical step for Hawaii's energy future.

"Renewable energy companies are continuously working on obtaining the necessary permits for biodiesel production facilities and other energy resources in Hawaii, but have always been met with obstacles preventing them from obtaining the permits.

"Castle & Cooke has already initiated projects to reduce reliance on fossil fuels to transform Lanai into a showcase for renewable and green energy. However, their project is stymied as they are awaiting permit approval to create possibly the largest solar farm in Hawaii, supplying up to 10% of Lanai's annual electricity needs.

"Castle & Cooke is prepared to make close to $1 billion for solar and wind energy projects and is committed to renewable energy, investing more than $765 million to achieve this. Their goal is to make Lanai powered by 100% renewable energy, helping to stabilize energy costs and thereby stabilize the cost of living while providing new job opportunities for residents.

"Raising fuel costs must be addressed now; anything that can be done to help expedite the review and permitting process will ultimately benefit all the residents of this State.

"For these reasons, I am in strong support of this bill. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2863, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENEWABLE ENERGY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 147-08 and H.B. No. 2505, HD 2, SD 2, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and H.B. No. 2505, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 148-08 and H.B. No. 2507, HD 1, SD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2507, HD 1, SD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Finnegan rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Finnegan's written remarks are as follows:

"Thank you, Mr. Speaker. I rise in strong opposition of C.C.R. 148, S.B. 2507, H.D. 1, S.D. 2, C.D. 1. This measure supports the State policy to reduce greenhouse gas emissions by January 1, 2020, to levels at or below the estimates of greenhouse gas emissions for 1990, by appropriating $140,000 from the General Fund to establish two positions to provide professional and technical support for the work of the Greenhouse Gas Emissions Reduction Task Force.

"This measure calls for an appropriation of $140,000 from the general fund that is not included in the Supplemental Budget. In addition, the bill does not state what the background requirements are for the two specialized personnel, nor does it state that they must be independent of the companies that will be regulated.

"The questions that need to be answered prior to the passage of this bill are: should the two “specialized” personnel be specialists in one or more of the thirteen objectives mandated by the Legislature, or would it be better if they didn’t know any of the thirteen objectives, but instead, know how to oversee complex projects? Should these two individuals be political appointments?

"For these reasons, I am opposed to this bill. Thank you Mr. Speaker."

Representative Belatti rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Belatti's written remarks are as follows:

"I rise in strong support of House Bill 2507, Conference Draft 1 which appropriates State funds to establish two positions to provide professional and technical support to the Greenhouse Gas Emissions Reduction Task Force.

"If we are serious about meeting the goal of reducing greenhouse gas emissions by January 1, 2020, to levels at or below the estimates of emissions for 1990, we need to commit the resources to the Task Force to enable them to do their job. In the larger context of the entire State budget, the $140,000 we invest today in staffing the Task Force will have large ripple effects and enable us to effectively address and reduce our impact on the environment."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2507, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO GREENHOUSE GAS EMISSIONS REDUCTION," passed Final Reading by a vote of 47 ayes to 1 no, with Representative Finnegan voting no, and with Representatives Bertram, Nakasone and Sagum being excused.

Conf. Com. Rep. No. 150-08 and H.B. No. 2704, HD 2, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 2704, HD 2, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ito rose to speak in support of the measure, stating:

"Mr. Speaker, in strong support. Mr. Speaker and Members, the purpose of this bill is to preserve and protect Ha'iku Valley, a site of cultural and natural significance, by establishing the Ha'iku Valley Cultural Preserve Commission to oversee the Ha'iku Valley Cultural Preserve.

"Mr. Speaker, during the legislative hearing, all those who testified on this measure indicated that Ha'iku Valley is an important cultural resource in Hawaii and that establishing the Ha'iku Valley Cultural Preserve Commission will greatly assist in its protection for future generations.

"Mr. Speaker I further learned that Ha'iku Valley is one of nine *ahupua'a* surrounding Kaneohe Bay. It served as a hospital for the *moku* of Ko'olaupoko. It was here that the *kahuna la'au lapa'au* lived and grew their medicinal herbs, which they mixed with plants from the sea to make medicine. People came from throughout the area to seek help from these Hawaiian healers. There are *na kupuna* living today, the *kupa'aina* to Ha'iku Valley, who still remember going into the upper reaches of the valley to collect herbs for medicines for their family, the *kahuna la'au lapa'au*.

"Mr. Speaker, many burials can be found today in Ha'iku Valley, as well as two major *heiau* and other lesser known sacred places. There are Hawaiian families today that still continue to visit and care for their family graveyards, including burials located at the Kane a me Kanaloa Heiau.

"Mr. Speaker, Ha'iku Valley also has a modern day historic significance as well. In the early 1940's the Navy chose this area to locate a top-secret radar station. In the 1950's, the area was converted to an omega transmission station. Due to its unique bowl-like sphere and shape, and high *pali* around it, the valley played an important role in the strategic communications during the war and decades after. The omega station was one of eight in the world that supported communications and coordinates among aircraft and ships at sea.

"Mr. Speaker, whether in ancient or modern times, Ha'iku Valley has always been for the good of the people. We need to preserve this valley to honor both its Hawaiian and modern-day historical significance. Mr. Speaker, for these reasons, I ask my colleagues to support this measure."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Ito be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Chong rose in support of the measure and asked that the remarks of Representative Ito be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Ching rose in support of the measure and asked that the remarks of Representative Ito be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Thielen rose to speak in support of the measure, stating:

"Thank you Mr. Speaker I also am in strong support and would like the words of the Representative from Kaneohe entered into the Journal as if they were my own. And I would like to give special aloha to the advocates for this measure and to congratulate them. Aloha."

Representative Carroll rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support and just a few comments. I'm excited about this bill because of the establishment of this Commission to preserve this natural resource. Like the rest of the islands, we have so many precious areas that need similar type of managing, but also sharing and preserving our culture. So Mr. Speaker, I am in strong support."

Representative Awana rose in support of the measure and asked that the remarks of Representative Ito be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I'm rising in support and would like to acknowledge those good people up in the gallery for their hard work. This *ahupua'a* is truly a treasure and a gorgeous place and it needs to be protected. Thank you, Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 2704, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HA`IKU VALLEY," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

At 11:04 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 3377, SD 2, CD 1
H.B. No. 2531, HD 1, SD 2, CD 1
H.B. No. 357, HD 2, SD 1, CD 1
H.B. No. 2843, HD 2, SD 2, CD 1
H.B. No. 3120, HD 2, SD 1, CD 1
H.B. No. 3352, HD 2, SD 2, CD 1
H.B. No. 2863, HD 2, SD 2, CD 1
H.B. No. 2505, HD 2, SD 2, CD 1
H.B. No. 2507, HD 1, SD 2, CD 1
H.B. No. 2704, HD 2, SD 1, CD 1

At 11:04 o'clock a.m., Representative Caldwell requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 11:06 o'clock a.m.

Representative Thielen rose, stating:

"Mr. Speaker. I would like to make a brief correction. I did not vote against the greenhouse gas measure, and evidently it was a little unclear with the Clerk and Assistant Clerk."

The Chair responded:

"Representative Thielen, there was not mention of your name on that particular measure. I believe only Representative Finnegan voted no, and the vote has already been cast."

LATE INTRODUCTIONS

The following introductions were made to the members of the House:

Representative Takai introduced cadets of the Hawaii National Guard Youth Challenge Academy, accompanied by Cadre Torres, Cadre Gascon, Cadre Johnson, Cadre Halemano and Commander Perez; and staff, Mr. Suzuki, Mr. Nishimura, Mr. Kaahanui, Mr. Barcial, Mrs. Nakagawa, Mr. Takiguchi, Mr. Janicki and Mr. Tuiteleleapaga.

Representative McKelvey introduced Mr. Maurice Morita of the Hawaii State Teachers Association.

Representative Cabanilla introduced her brother-in-law, Mr. David Arakawa.

UNFINISHED BUSINESS

Conf. Com. Rep. No. 165-08 and S.B. No. 2850, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2850, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. On Wednesday, April 16, a possible sighting of a greenish brown tree snake at the Kaneohe Marine Corps Base was reported. During the search, and until today, unless it has been reported otherwise, no snake capture has been reported. This recent incident is only one of many that confirm we should provide all our efforts to prevent new invasive species from establishing in Hawaii.

"This measure establishes statutory provisions and appropriates funds for the Department of Agriculture's biosecurity program, funds for planning interim and permanent joint State and federal inspection facilities. Our State is incredibly dependent upon importation of consumer goods, nearly 90 percent.

"Our State's ongoing efforts of detection, control and containment, and eradication have been far from adequate. The State Department of Agriculture reported and has warned us that two species alone, and it may sound redundant, but the brown tree snake and the red fire ants could damage our lifestyle in excess of $600 million per year, especially with the expected military build up in Guam, which means expanded services, air services between Guam and the Kaneohe Marine Air strip.

"Recently *Washington Post* staff writer Joel Achenbach wrote "biologists say that invasive species unchecked by natural predators are major threats to our biodiversity." Let us never even consider the brown tree snake as a welcome natural predator. Mr. Speaker, I ask this body's unwavering support for this measure. Mahalo."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2850, SD 2, HD 2,

CD 1, entitled: "A BILL FOR AN ACT RELATING TO BIOSECURITY," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 166-08 and S.B. No. 156, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 156, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I will speak with reservations on this measure. It is Senate Bill 156, Relating to Voting. It allows a registered voter to request an absentee ballot permanently, forever. While I support efforts to encourage people to vote, we should be careful of creating a situation ripe for fraud.

"The measure before us will give the voters the ability to request absentee ballots only once, and henceforth a ballot will be mailed to him or her automatically every election unless the voter turns off the spigot. Under most circumstances and with 100 percent, honest voters, this would not pose a problem. However there are situations where an automatic mailing of an absentee ballot can result in someone other than the intended voter casting that ballot. People move. People go to college. People get senile. People die. People get apathetic. But the ballot may still show up in the mailbox.

"Some people, as we know, get excited by certain candidates and others are enthusiastic about elections. Some are motivated by political parties or particular issues. Permanent unrequested ballots could put temptation right into the hands of these voters. Although fraudulent voting may not occur often, we should take steps to protect the integrity of our voting system. Requiring that people request absentee ballots every election is not an unreasonable requirement to ensure the validity of our election results. So we must strike a balance between allowing all citizens to vote their opinion and ensuring the integrity of our voting system. Our current system maintains that balance. These are my serious reservations. Thank you."

Representative Ward rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition to this. Mr. Speaker the hallmark of America is do things faster, quicker, cheaper and more efficient, from Henry Ford to Bill Gates. We use technology to forward our society and the progress of our nation. However, I'm not sure that this use of absentee ballots forever and ever is going to benefit us.

"The responsibility of a voter to learn the issues, learn the process of the elections, whether they be issue oriented or personality oriented, that in itself is enough to do; to watch them wave signs on the highway. Is it too much to ask them to ask every year for an absentee ballot? Is it too much for them to wait in line? As my colleague indicated, I'm afraid that this is going to perpetuate the suffrage rights of the deceased. We're sending a message to the voter fraud in the community, if there is such a group out there in various elections, and there have been in the past. Look at the obituaries every year, find out who is deceased, get a relationship with those families, collect those names and there's nothing in this that safeguards this from happening. Mr. Speaker we need something in here that's says that if the death rate in Hawaii declines over the passage of this bill, something you know is not right. Mr. Speaker this is well-intended, but I think it's going to have very unintended consequences to the negative. Thank you."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in strong support. I lived in a state where they had absentee ballots and I think it worked extremely well. I think it behooves us to try to be user-friendly with our voters and find ways to engage them in the process. I believe in this and I do disagree with some of the previous speaker's comments. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I stand with reservations. I ask that the words of the Representative from Hawaii Kai be entered as my own. When I have walked door to door in my neighborhood, it has been interesting to note that there have been people who haven't been there for a long time, and yet they're still on the record. I just wonder if there are the resources to ensure that there's accuracy and truth in the lists and voter registry. So I think we have to be careful. Thank you."

Representative B. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker I rise in support. I would just like to note for everyone, there's a lot of speculative concerns that have been raised, but I think the bill, if you read page 3, there are a number of safeguards listed. They're shown from lines 7 all the way through 20. Those safeguards will actually ensure that those concerns about people dying, or moving, or any of those other things are immediately taken care of. It’s important to remember that voter fraud is a Class C felony. If somebody is tempted to conduct themselves in voter fraud they should always remember that it's a Class C felony, and that's a very, very serious offense. And that in and of itself to me, takes care of any of these very speculative and somewhat attenuated concerns that have been raised. Thank you."

Representative Sonson rose to speak in support of the measure, stating:

"Thank you, very much. I am in strong support and would like the words of the Floor Leader inserted into the Journal as my own. In addition Mr. Speaker, the issue that we're really trying to attack here is voter apathy. There are a lot of citizens out there who are waiting for government to help them to get to the polls without having to go there, and that's through this measure. Even if we can just cut some of the time it takes to fill out this form, which is very complicated for a lot people, I think it will help a lot of people participate in the process. Everybody that's out there who wants to vote, have questions like, 'How do I vote? How do I register? And where am I registered? How can I go to the polls when I don't have a ride?' There's a lot of excuses, but these are real excuses. These are hindrances or road blocks to the true democracy.

"There are a lot of families out there who would rather vote through the absentee process, but a lot of times you have a question of how to fill out the form. We have not developed a situation to ensure that those who don't speak English or are not able to read enough to understand the forms, or be confident enough to fill these out. It takes a deputized member of a campaign or deputized member of the community to go out to these homes to seek them out in order to help them. But this is almost impossible to do election, after election, after election.

"This measure now will allow them to permanently request it. They request for it once and then they will be permanently included on a list of those who would want absentee ballots every election. And as previously stated, there are safeguards against this and there are penalties for those who may wish to circumvent the law and try to cheat. We don't like cheaters and this Legislature last year ensured that those who cheat the system will incur the wrath of five years in jail for their work. Thank you Mr. Speaker for this moment to share my thoughts on this particular measure, and Members please, we need your support."

Representative Meyer rose in support of the measure with reservations, and asked that the remarks of Representative Ward be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Finnegan rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker, in opposition. I heard very many times that this bill is for voter apathy and to make things easier for folks to vote. We have quite a simplistic process right now. The process in place for request of an absentee ballot is quite simple. If people need help, if they can do it once for a permanent absentee ballot, they can do it again. I don't see that there's anything wrong with that process in regard to wanting to vote and requesting a ballot.

"The greatest thing that we can do for voter apathy is get people involved. When I go door to door and I ask them if they're going to vote this year or that election year, not once have I heard it's too hard to fill out the application. Not once have I ever heard that they didn't know that there was an absentee process. Not once were they slow to say that, 'I don't know if I want to do an absentee process'. When they find out how to do it, they do it, and that's it.

"What I have heard is, 'Why should I believe in the political system in the first place? Why should I vote when it doesn't matter anyway? Why should I participate when I don't like what's going on?' Those are the kinds of things that we have to help with to get them to vote. Not these kinds of things. I don't think that this is going to matter much. If we want people to vote and we do our jobs and when we vote here on different issues that are issues that the people want to hear about, I think that's what's going to get them going to vote. So Mr. Speaker, I'm speaking in opposition to this. Thank you."

Representative Ward rose to respond, stating:

"Just to add a couple of things, and possibly a rebuttal in that, we forget that the sanctity of democracy is not just a secret ballot, but the security of the ballot. With this, perpetuity is the real issue. No one is against voter absentee ballots. It's evolved from where you literally had to be on vacation. You had to be in the hospital. It was very stringent 10 or 15 years ago. Now, whenever, whoever you are you get an absentee ballot automatically.

"But now, I think we're pushing it to the extent that this is in perpetuity. We want it to go forever and ever, and we're forgetting that security is part of the secret part of what is the watchdog of democracy. And if we want to throw security out of the window for the sake of some enthusiasm, I think as the previous speaker said, there's many more ways to do that.

"I should also remind the Members that the U.S. Supreme Court just ruled it is now constitutional to require a photo I.D. when people go to vote. We're going in the exact opposite direction. We don't require anything. As earlier stated if you are deceased and you have somebody who wants to get possession of that and vote, even though there are sanctions, of course there are sanctions. But for those things that we have no disincentives, we always encourage people to not leave their keys in the ignition, it's too tempting. What we're doing here is we're leaving a ballot on the table for anybody to turn it in without any identifying markers, without any checks and balances as to the security of that ballot. Again it's secretive, the security and the secret ballot is sacred. I think this time we're going overboard in our enthusiasm to try to drum up enthusiasm for people to vote. And we're the last in the nation."

Representative Manahan rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 156, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Finnegan and Ward voting no, and with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 167-08 and S.B. No. 3174, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3174, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to disclose a potential conflict of interest, stating:

"Mr. Speaker first I would ask if you would give a ruling on whether I have a conflict of interest. This bill originally had money in it for the self-help housing and I am the President of the Hawaii Self-Help Housing Corporation," and the Chair ruled "no conflict."

Representative Meyer continued in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm in support, but with reservations. This bill as it was first introduced was a bill by the Joint House Senate Majority Caucus relating to affordable housing. I initially supported it because it contained numerous provisions to help alleviate the lack of affordable housing. The final draft of this bill has stripped out most of those provisions and that's my reservation.

"First, the Conference Committee lined out language that would have extended by five years the sunset date of the increase in the conveyance tax allocation to the rental housing trust fund. I felt that was important to have left in there.

"Second, the Conference Committee deleted an appropriation to assist developers in contracting for third-party review and certification to expedite the permitting and building of affordable housing projects.

"Third, the Conference Committee thwarted the effectiveness of the self-help housing programs by removing language to establish a Self-help Housing Fund by not allowing funds to be expended out of the Self-help Housing Technical Assistance Fund. The self-help housing projects are very unique in that there's I think no way anybody could become a homeowner in such an affordable way because they get a loan oftentimes just for two or three percent. The loan pays for some supervision help and for the materials, but the families and their friends do all the sweat equity and that keeps the price down. So it's a wonderful program and I had hoped that they would get some funding in this.

"This bill did however increase the Hula Mae multi-family revenue bond and will help the affordable housing crunch being felt by some in our community. It is unfortunate that Senate Bill 3174 comes to us in Final Reading as a shell of what it started with. Thank you, Mr. Speaker."

Representative Belatti rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, in support with reservations. Mr. Speaker, I have the same reservations as the previous speaker, but I think that in light of a shrinking economy, that we have to make hard choices and lest we be accused of not doing enough, I just hope that future legislators will consider these measures and that we revisit them again. Thank you Mr. Speaker."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3174, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING," passed Final Reading by a vote of 47

ayes, with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 168-08 and S.B. No. 3252, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 3252, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana rose in support of the measure, stating:

"Mr. Speaker, I am in support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 3252, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TEACHERS," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Hanohano voting no, and with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 169-08 and S.B. No. 644, SD 3, HD 3, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 644, SD 3, HD 3, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Morita rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Mr. Speaker, the environmental benefits of the solar water heating speaks for itself so I won't touch on that. Today I'd like to spend my time educating Members of this body and the public about the economic benefits of solar water heating and why, if at all possible, solar water heating should be installed at an accelerated pace, even before the mandate kicks in.

"In March 2008, Dr. Andy Walker of the National Renewable Energy Laboratory said the following about the cost-effectiveness of solar water heating in Hawaii, and I quote:

> In the sunny parts of the islands, solar water heating can deliver heat at a levelized cost of 4 cents to 6 cents per kilowatt hour. In less sunny areas the range is 6 cents to 8 cents per kilowatt hour. Electric customers in Hawaii pay at least 15 cents per kilowatt hour, depending on utility and customer class. In conclusion, solar water heating is cost effective at any location in the Hawaiian Islands under current conditions. Simple payback periods range from 8.5 years to 4.3 years, again depending on utility and customer class.

"Dr. Walker's numbers were very conservative. In fact, our residential utility rates range from 25 cents per kilowatt hour on Oahu to 41 cents per kilowatt hour on Kauai, almost twice the 15 cents per kilowatt used in Dr. Walker's calculations. And just to give Members a perspective, the average rate nation wide is about 10 cents per kilowatt hour.

"Using our current residential utility which is in simple payback calculations, a solar water system on Kauai will be paid back in 2.8 years, Oahu 4.6 years, Molokai 3 years, Lanai 3 years, Maui 3.5 years and the Big Island 3.2 years. What this means is after 2.8 years, a family of four on Kauai will be putting approximately $150 per month in their pockets from the savings in their electricity bill for the next 12.2 years, for a total savings of $21,960. On Oahu that figure would be about $90 per month for 10.5 years for a total of $11,340.

"With crude oil prices rising from $65 to over $100 per barrel in less than one year, and with no relief under our direct control, this body must consider requiring the installation of solar water heater systems in all new single-family dwellings constructed after December 31, 2009 to accelerate this kind of savings to our next generation of new homeowners. A solar water heater mandate in new home construction will effectively shift from a government subsidy via tax credits, to a required investment by the private sector that will result in greater public benefits for everyone at large through the prudent investment in this type of renewable energy saving device.

"A conventional electric water heater tank accounts for 30 to 35 percent of a home's electric bill. Again using this simple payback calculation I just mentioned, it is estimated that the savings from a home's electricity bill through the installation of solar hot water heater could result in the system being paid off in 2.8 to 4.6 years without a State tax credit. Furthermore, if the expense of the installation of a solar water heater is included in the mortgage of a new home, given the high and unpredictable costs of oil, the savings from the lowered electricity costs will exceed the additional monthly payments for the solar water heating system, which itself has an added benefit of being an allowable tax deductable expense, and also eligible for federal renewable energy tax credit."

Representative Takumi rose to yield his time, and the Chair, "so ordered."

Representative Morita continued, stating

"Thank you, Mr. Speaker. Again if you put a solar hot water heater in the mortgage, you have a tax deductable expense and it's eligible for a federal renewable energy tax credit and a utility rebate.

"Some may ask that if the savings are so great, why do we have to require a mandate. Just let the market work. Unfortunately in the construction of new homes and in promoting energy efficiency and conservation, the market is broken.

"In a study to catalog market and non-market barriers to energy efficiency adoption, Harvard economists Robert Stavins and Adam B. Jaffe described the market as a failure when a technology which is both cost-effective and saves energy is not implemented as a principal-agent problem. Jaffe and Stavins describe a situation between a landlord and a tenant where the potential adopter, the landlord is not the party that pays the energy bill. The study states, and I quote:

> If the potential adopter is not the party that pays the energy bill, then good information in the hands of the potential adopter may not be sufficient for optimal diffusion. Adoption will only occur if the adopter can recover the investment from the party that enjoys the energy savings. Thus, if it is difficult for the possessor of information to convey it credibly to the party that benefits from reduced energy use, a principle/agent problem arises.

"This case study can also be applied to the relationship between a developer and purchaser of a new home where the developer may be overly concerned about the overall price of building a new home and will install the cheapest appliance and electric water heater to keep the upfront cost low, with no regard to the operational cost of the system, which will be paid by the new home buyer.

"Mr. Speaker, I've distributed to the Members a chart comparing the cost of various water heater systems on each island. I think this chart clearly points out our need to act and currently only one in four homes have a solar water heater and we owe it to future generations of home owners, and energy and money saving devices, to put more disposable income into the pockets. Mr. Speaker we owe it to our children and grandchildren, the promise of a clean, renewable and sustainable energy future. Your favorable vote on this measure keeps us on this smart path. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker I rise in support. Mr. Speaker this is a good bill, it's about time. It's in response to the wake up call that our colleague in Maui is incorrect saying $200 a barrel, it's frightening. Is it $225 a barrel? You might as well say $300.

"Mr. Speaker this is a wake up call, it's also a response to I think our patience over the last 20 years. We left it optional with incentives, and we only got 17 percent usage. I don't think it's 25 percent. There aren't that many houses that are using our resources so this is a response. Nobody likes mandatory, but there's no option if we're really going to fight the battle with fossil fuel.

"Mr. Speaker there is however an omission in this bill that I think can make it better because if Members have the bill, if they look on page 7, line 10, it says if you can't meet the solar mandate in a house, you can have a demand water heater. And what is in there says only a gas demand water heater. Mr. Speaker my office did some research on this. A demand water heater with gas is $1,200. If you get an electric water heater on demand, it's only $500. But this bill does not leave that option.

"Now I brought it up to the Conference Committee, to the Chair. I told them I bathed everyday in East Timor in the Peace Corps with the demand water heater. It was electric. I was clean enough to work. The British empire has it all over the world, but for some reason it's not in this bill. It doubles the cost of the retrofitting because not only is it $1,200 if you have a tank, but if you have to run a gas pipe, and if you don't have a pipe on your street you don't get it. But if you have the pipe it's going to be even more expensive.

"I spoke earlier on the Floor that the cost of living is going up. This bill, which is intended to lower the cost of energy, by the emission of the electrical water heater is actually going to have it go up. So I will recommend for those who are going to be here next year, make sure you put that in there, because it will save money for the people of Hawaii. Thank you."

Representative McKelvey rose in support of the measure and asked that the remarks of Representative Morita be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I'm rising in support with a lot of strong reservations. I mean, the support is that I think it's a good thing that we have more solar water heaters out there, but I have a real problem with the mandate. Everyone wants more solar, but I think that this bill is flawed. It eliminates the tax credits and utility rebates for the mandated systems, nearly doubling the system cost to the home buyer. This is simply not fair to the home buyers. My colleague from Hawaii Kai talked about our patience; we left it optional. But what we had was a tax credit to encourage people, an incentive. Now we've flipped totally the other way, and it's a mandate. You have no choice. You must have it, and it will cost you twice as much as it would today.

"Why does it cost more? Well, today if you contract to have solar put on your roof, the average cost is about $5,000. Through the electric company you get a rate payer rebate of $1,000, bringing it down to $4,000, and then a State tax credit of 35% eliminates another $1,400, for a net cost of $2,600. And over the 15 years of savings that you will have on your electric bill, that amounts to about $11,250 that you have saved over a 15 year period because you were smart enough to put solar in.

"Now if you look at what happens with the mandated system, using the same average figure of $5,000, but you get no rate payer rebate, and you don't get a tax credit, so the cost to you which will be added on to your mortgage is $5,000 instead of $2,600. And you won't have a choice about that. If you want to buy a new house after December 31 of 2009, you simply repay almost double.

"But when you have a 30 year mortgage and you've added this $5,000 for that solar system, the mortgage interest at 6% for 30 years, you will have paid an additional $5,897 dollars in interest on that solar system. So the total system with the interest and the $5000 for the system is $10,897 for the savings that you got from lower electric bills of $11,250 over 15 years, your net savings will be $353 while the person that put it in an optional way this year, they will have had a savings of $8,650.

"Mandates come down from government. We have a habit of saying 'We know what is best for you. Public, you just don't understand. We have all the answers.' Well, we thought we had all the answers with ethanol. And now we see the cost of food going through the roof. Food riots in Third World countries. And even Congress people in Washington, DC talking about putting a moratorium on ethanol. And this was about 10 years ago, 15 years ago, there was no argument about this. Government knew what was best for the people. We had to stop using oil and we had to get ethanol in there to reduce the amount of oil products that we used in our automobiles.

"Mr. Speaker, our great country of the United States of America was founded on the principles of freedom and liberty. That means we have the freedom to make choices for ourselves. And as government gets bigger and more intrusive, more and more these dictates are coming down to the people saying 'You have no choice anymore. You must do what we think is politically correct. We know better than you.' Thank you, Mr. Speaker."

At this time, the Chair announced:

"Thank you very much. Members of the House, with your indulgence, can we recess at this point in time and reconvene at 1:00 o'clock so that we may go over to the Senate to do the confirmation of our three Executive Directors of our Legislative Agencies. The three Directors that are being nominated and confirmed by all of you will be Mr. Ken Takayama of the Legislative Reference Bureau, Mr. Robin Matsunaga of the Ombudsman's Office, and Ms. Marion Higa of the Legislative Auditor's Office. So with your indulgence, we will recess."

Representative Ward rose, stating:

"Mr. Speaker, will this measure still be open for comment? Thank you very much."

The Chair responded, stating:

"Yes, the Chair will continue on, but I'm just stating for the record that we have to leave at 11:45 to start the Joint Session at 12:00. So we'll reconvene at 1:00 o'clock."

At 11:45 o'clock a.m., the Chair declared a recess and the House of Representatives stood in recess, subject to the call of the Chair, and in accordance with Senate Concurrent Resolution No. 236, met in Joint Session with the Senate, for the purpose of appointing the Auditor, the Director of the Legislative Reference Bureau, and the Ombudsman.

JOINT SESSION

The Joint Session of the Senate and the House of Representatives, Twenty-Fourth Legislature of the State of Hawaii was called to order at 12:00 noon by the Honorable Colleen Hanabusa, President of the Senate.

Senator Hooser moved that Ms. Carol Taniguchi be appointed Clerk of the Joint Session, seconded by Representative Caldwell and carried, with Representatives Bertram, Nakasone and Sagum being excused.

President Hanabusa then announced that the purpose of the Joint Session was to appoint the Auditor for the State of Hawaii pursuant to Section 10, Article VII of the Hawaii State Constitution; the Director of the Legislative Reference Bureau pursuant to Section 23G-1, Hawaii Revised Statutes; and the Ombudsman pursuant to Section 96-2, Hawaii Revised Statutes.

Senator Hooser nominated Ms. Marion Higa to the Office of the Auditor of the State of Hawaii, for a term of eight years, commencing July 1, 2008.

Representative Caldwell moved that the nominations for the Office of the Auditor of the State of Hawaii be closed, seconded by Senator Hemmings and carried, with Representatives Bertram, Nakasone and Sagum being excused.

Senator Hooser then moved that the Senate of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Marion Higa as Auditor for the State of Hawaii for a term of eight years commencing on July 1, 2008, seconded by Senator Hemmings.

Senator Trimble rose to speak in opposition of the nomination, stating:

"Thank you, Madame President. I rise in opposition for this reappointment. Thank you. Colleagues, I think that a reappointment deserves closer attention than an initial appointment. I think that a reappointment deserves a public hearing where the private sector, former employees, current employees can weigh in, where the success and failure of the State Auditor can be evaluated dispassionately. And that there can be a conclusion of that public hearing, and recommendations be made to both the House and the Senate.

"Next, I think that before we're asked to vote, we should have been given some kind of criteria on how the Auditor should be evaluated in terms of the Auditor's performance.

"And finally, we should have been furnished with copies of past job performance ratings or approvals. I'm sure you do this on an annual basis, but at least these reviews which are done for every other position in State government should be furnished to the members before we're asked to vote. Thank you."

Senator Hooser rose to speak in support of the nomination, stating:

"I rise in strong support of the appointment of Marion Higa as the State Auditor. Marion Higa has a long and illustrious career of working in the State Office of the Auditor since 1991. I believe her record speaks for itself. Year after year, she has taken extreme care, her and her staff auditing various programs, accounts and the performance of agencies. The public, year after year has had the opportunity to inspect her work, to comment on her work. And I just believe she's doing a 'bang up' job. And I'm really, truly enthusiastic and it gives me great pleasure to recommend to members to vote in support."

Senator Trimble rose to respond, stating:

"Thank you Madame President. I rise in brief rebuttal. I hear different things than the good Senator from Kauai. I hear that the audits, the management audits are frequently one-sided, only negatives are provided. I hear that conclusions are rewritten at the final moment. And the people making these complaints assume that these conclusions are rewritten right before the audit is furnished to grab headlines, to grab publicity.

"Next I hear that there has been extensive personnel turnover in the Office of the Auditor. And so what I originally asked for was, what criteria do we have to analyze and to evaluate. Where are the annual performance evaluations? I guess none was done. Without that, how can we decide at the end of eight years whether an appointment is merited or not?

"And there was no public hearing process where members of the public, past employees were invited to come down and weigh in on the reappointment. The process is flawed."

Senator Baker rose to speak in support of the nomination, stating:

"Madame President, thank you. I rise in support of this nominee. Madame President, since Marion Higa has been Auditor of the State of Hawaii, her office has received numerous accolades from national accrediting organizations, from the National Conference of State Legislatures, Audit Operation. As a matter of fact there have been a number of states that have come to observe the procedures and policies that our Office of the Auditor has undertaken because she's done such an exemplary job. I think Madame President, the work that she's done, the outstanding performances that she has, recognition that her office received, and that her audits received, are testament to the fact that she's worth all of the votes that Members of this body can provide. Thank you, Madame President."

The motion on behalf of the Senate was put to vote by the Chair and carried by a vote of 25 ayes.

Speaker Calvin K.Y. Say then assumed the rostrum.

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Marion Higa as Auditor for the State of Hawaii for a term of eight years commencing on July 1, 2008, seconded by Representative Finnegan.

Representative Caldwell rose to speak in support of the nomination, stating:

"Mr. Speaker, I rise to speak in support of the confirmation of Marion Higa as the State Auditor by the State House of Representatives. Thank you, Mr. Speaker. There's not a person in this Chamber who isn't familiar with Marion Higa and her tenacity, fairness and passion for accountability. With 37 years, 37 years of service in the Office of the Auditor, she exemplifies everything that that Office stands for, Mr. Speaker. She's a guardian of public trust. She fights for the continuous improvement of government, and she's a standard bearer for excellence.

"In addition, Mr. Speaker, she is a resident of Manoa and one of my constituents, and I just hope and pray she never audits me. So I hope we all join in and support in confirming Marion Higa again as our Legislative Auditor. Thank you."

Representative Thielen rose to speak in support with reservations of the nomination, stating:

"Thank you, Mr. Speaker. Mr. Speaker, I'm rising with very serious reservations. I would like to adopt first of all the words of the Senator from Waikiki as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Thielen continued, stating:

"Mr. Speaker, I can't help but contrast this appointment with the way that appointees from the Governor to head departments of the State are treated by the Senate. They go first of all to a Senate Committee where the appointee is thoroughly grilled. Where the public has the opportunity to weigh in and present their thoughts on that appointment. Then the person comes before the entire body of the Senate and there is further debate and discussion with, of course, the public weighing in to individual Senators on that appointment.

"On this one, what I'm concerned about is the perception to the public is that this is a 'rubber stamp' vote. And I don't think it's in the best interest of government. I think there should have been hearings. I think people should have been able to weigh in. And unfortunately today, that's not the case."

Representative Ward rose to speak in support with reservations of the nomination, stating:

"Mr. Speaker, I rise in support with slight reservations. I think the good Senator from Waikiki has a point about the process. I'm not going to speak to the merits of the individual, but the process. The public deserves scrutiny. The public deserves disclosure. The public deserves a chance to weigh in on the decision. Mr. Speaker, that is absent in the same way that when we reformed in the House, the GIA process, we were not saying that you gave the money to the wrong people. It's the process of how we gave out GIAs, a one man committee. We need more openness. We need more disclosure. And I think that's the point that needs to be emphasized so the next time if she wants to go another eight years, by then we will have reformed the process and we will be a hundred percent sure on both sides of the aisle, that she is the one for another eight years. Thank you."

The motion on behalf of the House of Representatives was put to vote by the Chair and carried by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

With the votes having so been cast by the members of the Twenty-Fourth Legislature of the State of Hawaii, Ms. Marion Higa was appointed and confirmed as the Auditor for the State of Hawaii.

Representative Caldwell then introduced Ms. Higa's family seated with her in the gallery: her son Jason, and her brother Mr. Nathan Murakami; as well as the staff of the Office of the Auditor.

At this time, President Colleen Hanabusa assumed the rostrum.

Senator Hooser then nominated Mr. Ken Takayama to the Office of Director of the Legislative Reference Bureau of the State of Hawaii, for a term of six years, commencing July 1, 2008.

Representative Caldwell then move that the nominations for the Office of Director of the Legislative Reference Bureau of the State of Hawaii be closed, seconded by Senator Hemmings and carried, with Representatives Bertram, Nakasone and Sagum being excused.

Senator Hooser moved that the Senate of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Ken Takayama as Director of the Legislative Reference Bureau for the State of Hawaii for a term of six years commencing on July 1, 2008, seconded by Senator Hemmings.

Senator Trimble rose to speak in opposition of the nomination, stating:

"Thank you, Madame President. I stand in opposition because of the process, because there was no public hearing. The public was not given an opportunity to weigh in. We were not furnished with annual evaluations of performance and we were not told the criteria by which this person should be judged. Thank you."

Senator Hooser rose to speak in support of the nomination, stating:

"I rise in support of the appointment. Madame President, I urge my colleagues to support Mr. Takayama. The Legislative Reference Bureau is a nonpartisan legislative service agency. It provides a wide variety of services to legislators and legislative Committees. The people that are voting today on this appointment are the people who use these services on a regular basis. And those are the people who really, really need to engage on this issue and that's why we're here today.

"Mr. Takayama has been an employee with the Legislative Reference Bureau since 1979. He's done solid work with the Bureau. And it gives me great pleasure to recommend his approval. Thank you, Madame President."

Senator Hemmings rose to speak in support of the nomination, stating:

"Thank you, Madame President. I rise to speak in favor of the nomination. Thank you, Madame President. Speaking from this side of the aisle, it's my pleasure to endorse Ken for this position. It's been my experience that the gentleman serves us with blinders on to political affiliation. He's been extremely fair in dealing with the Minority in the Legislature which is sometimes not always true in other situations. And for that we are grateful and I wholeheartedly support his nomination for second term."

The motion on behalf of the Senate was put to vote by the Chair and carried by a vote of 25 ayes.

Speaker Calvin K.Y. Say then assumed the rostrum.

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Ken Takayama as Director of the Legislative Reference Bureau for the State of Hawaii for a term of six years commencing on July 1, 2008, seconded by Representative Finnegan.

Representative Ward rose to speak in support of the nomination, stating:

"I rise in support of Mr. Takayama for his long suffering as Acting Director, and commend him for now being fully, Mr. Director. Thank you, Mr. Speaker."

Representative Caldwell rose to speak in support of the nomination, stating:

"Mr. Speaker, I rise to speak in favor of the confirmation of Ken Takayama as Director of the Legislative Reference Bureau. Ken has an admirable record Mr. Speaker, in public service. Stemming from his early years as a VISTA volunteer for the Legal Aid Society of Hawaii. In his many years in the US Judge Advocates General's Corps. We have all been impressed with the team Ken has assembled and managed over at the Legislative Reference Bureau.

"We depend on the Bureau to study and analyze government and to help us construct laws that will make government an effective servant of the public. In this regard, Ken has exceeded beyond all expectations. We look forward to a continued product of excellence from the LRB under the steady hand of Ken Takayama."

The motion on behalf of the House of Representatives was put to vote by the Chair and carried by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

With the votes having so been cast by the members of the Twenty-Fourth Legislature of the State of Hawaii, Mr. Ken Takayama was appointed and confirmed as the Director of the Legislative Reference Bureau for the State of Hawaii.

Representative Caldwell then introduced Mr. Takayama's wife, Ms. Diane Kishimoto who was seated with him in the gallery; as well as the staff of the Legislative Reference Bureau.

At this time, President Colleen Hanabusa assumed the rostrum.

Senator Hooser then nominated Mr. Robin Matsunaga to the Office of Ombudsman of the State of Hawaii, for a term of six years, commencing July 1, 2008.

Representative Caldwell moved that the nominations for the Office of Ombudsman of the State of Hawaii be closed, seconded by Senator Hemmings and carried, with Representatives Bertram, Nakasone and Sagum being excused.

Senator Hooser moved that the Senate of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Robin Matsunaga as Ombudsman for the State of Hawaii for a term of six years commencing on July 1, 2008, seconded by Senator Hemmings.

Senator Trimble rose to speak in opposition of the nomination, stating:

"Thank you, Madame President. For the third time today I rise to speak against the reappointment for the reasons that I've stated earlier, it's the process. We're not talking about the individual. It's the process that needs to be corrected. Thank you."

Senator Hooser rose to speak in support of the nomination, stating:

"I rise in support. It gives me again, great pleasure to support another fine individual, Mr. Robin K. Matsunaga to the Office of the Ombudsman. This office probably is the most underappreciated, and no doubt one of the most stressful offices we have around here. It deals with investigating complaints against government agencies, to take calls from frustrated residents and constituents. They do a great job dealing with them, helping them navigate the bureaucracy and settle their problems.

"Mr. Matsunaga was first appointed in 1998. There's a 10 year record. Again, it gives me great pleasure to offer my support and encourage the Members to vote in the affirmative."

The motion on behalf of the Senate was put to vote by the Chair and carried by a vote of 25 ayes.

Speaker Calvin K.Y. Say then assumed the rostrum.

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii confirm the appointment of Robin Matsunaga as Ombudsman for the State of Hawaii for a term of six years commencing on July 1, 2008, seconded by Representative Finnegan.

Representative Caldwell rose to speak in support of the nomination, stating:

"Mr. Speaker I rise to speak in favor of the confirmation of Robin Matsunaga as the Ombudsman for the State of Hawaii. Mr. Speaker, this is a role that requires deep knowledge of how State government works, and a deep understanding of basic problem solving. Robin knows this in spades. He brings those assets with him to work everyday along with his own set of people-skills which helps him understand the needs of the public we all serve.

"It does not hurt Robin's candidacy, Mr. Speaker, that he has served many years in the House of Representatives, both as Chief of Staff for the Speaker of the House, and as Committee Clerk for the Finance Committee, both under Speaker Emeritus Joe Souki. And you can't get better training than working under Speaker Emeritus Joe Souki. We all know that.

"Historically, Robin is the third appointed Ombudsman for this office which was established in 1969 as the first classical ombudsman office in the United States. We all know Robin will continue to carry on the great tradition of the office and I ask all the Members of this body to endorse his appointment. Thank you."

The Chair then stated:

"Representative Souki, would you like to insert written comments in support also? No?"

The motion on behalf of the House of Representatives was put to vote by the Chair and carried by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sagum being excused.

With the votes having so been cast by the members of the Twenty-Fourth Legislature of the State of Hawaii, Mr. Robin Matsunaga was appointed and confirmed as the Ombudsman for the State of Hawaii.

Representative Caldwell then introduced members of Mr. Matsunaga's family seated with him in the gallery: his wife, Tammy; daughter, Alexis; mother, Mrs. Nancy Matsunaga; brother and sister-in-law, Mr. Stewart Matsunaga and Mrs. Faye Matsunaga; and father and mother-in-law, Mr. Mikio and Mrs. Jean Fujino; as well of the staff of the Office of the Ombudsman.

At 12:24 o'clock p.m., the Speaker of the House declared the Joint Session of the Senate and the House of Representatives adjourned. (Representatives Bertram, Nakasone and Sagum were excused.)

RECONVENE

At 1:14 o'clock p.m., the House of Representatives reconvened with the Speaker presiding.

At this time, the Chair announced:

"Members, at this time we are on page 3. Before we recessed, we were on Conference Committee Report no. 169 and the Chair will allow continued debate on it.

"But before we go ahead with the continued debate on S.B. No. 644, SD 3, HD 3, CD 1, the Chair would like to make a late introduction. In the gallery we have this beautiful young lady who is the wife of Chair and Representative Dwight Takamine. Carol would you please stand to be recognized. So at this time the Chair will allow the debate to continue."

UNFINISHED BUSINESS

Conf. Com. Rep. No. 169-08 and S.B. No. 644, SD 3, HD 3, CD 1 (continued):

Representative Ward rose to respond, stating:

"Mr. Speaker, I had risen to rebut. In support in the sense however that a rebuttal delayed is a rebuttal denied or lost. The train of thought was that the good Representative from Kahaluu was saying that you're going to double the cost if we actually mandate this solar. But in my calculations, it's the difference between a wholesale price and a retail price. When you pay retail, you have to realize the wholesaler, if its particular things like clothing, they have 100% markup, etc. So if the installation of the solar device is by the developer, than you have all the stick houses there with easy access, quick wholesale materials. The price should not be quoted as the retail price of $5,000 as the good Representative had quoted. Therefore there should not be that much distance between doing it pre-fab in the new houses, versus having the installation price. Thank you, Mr. Speaker."

Representative Finnegan rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in support and I just wanted to explain my vote along the way. Previously Mr. Speaker, on Third Reading of this bill I voted against it, and basically I wanted to see a more aggressive approach, I wanted to see like photovoltaic. I think that's worth a mandate. But after going through some of these numbers, I will just go ahead and support this bill as it states, and hopefully in the future when that technology of photovoltaic becomes a little bit more affordable for developments and for housing, we can look more towards that, a more comprehensive, more than just water-heating type of approach. Thank you."

Representative Belatti rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in strong support. I just have three brief points to make. I am told that at the last review of the tax credit that the two previous speakers ago was mentioning, that at the last review of this tax credit a barrel of oil cost $23. We are now facing a price of $123, so there clearly is a reason to mandate solar water heaters.

"Secondly, to understand the individual cost savings, and I think the Representative from Hanalei would be better able to explain this, but we must look at the cost of the life cycle of an electric water heater versus a solar thermal water heater to really understand the cost savings that will be realized by individual home owners."

"Finally, I just want to share with you, yesterday at a community meeting at which the Representative of Hanalei was present, she spoke to us, to my community, and explained the solar water heating bill, and a person in the community asked 'Why is it that government is taking so long?' and the response by the Representative from Hanalei was that it's about political will, and political will to make tough decisions and execute and follow a path that has, I think, been established by the Committee of Energy & Environmental Protection by our State.

"This is one part of that pathway, this is a way that we can demonstrate our political will and commitment to change and to improve our community and make sure that there are resources for future generations. So I stand in strong support with this measure and I commend the Chair and the Vice Chair of Energy & Environmental Protection Committee who saw this one through. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in strong support. I think that it is high time that we invest in and make sure that our residents are utilizing solar because truly for the future generations this is necessary. It's been around a long time and it makes such logical sense in the State of Hawaii, so I ask that the words of the Representative of Hanalei please be entered as my own as well as the words of the Representative of Makiki," and the Chair "so ordered." (By reference only.)

Representative Caldwell rose to speak in support of the measure, stating:

"Mr. Speaker, brief comments in support. I think it's the first time I've seen this Chamber both Minority and Majority support a bill such as this. I think it's an excellent bill. And Mr. Speaker it ties nicely into the other bills we're moving forward on ag to energy, important ag lands, and many other measures, conservation, putting lands into conservation, and when you look at it all together it makes a great package. Thank you very much, Mr. Speaker."

Representative Morita rose to respond, stating:

"Thank you Mr. Speaker, again in support. I just wanted to make some clarifications. The Representative from Kahaluu cited some figures, and a lot of the information came from an email that was sent to all Members from people from the solar industry association. And in that email they had a comparison of the present way the system works and the mandate. That's an inaccurate comparison; the real comparison should be the chart that I gave you, the costs of an electric water heater versus the cost of solar. Because it's more than likely that once you put that electric water heater in, only one in four households would then convert to a solar water heater later. So 75% of the new homes that will be built will not have the advantages of solar water heating at all.

"So again look at that very carefully because a real comparison is electric water heaters versus solar water heaters, not how you pay for it, whether it's the present system with the tax credit or the mandate. Thank you very much. Mr. Speaker may I also add additional comments," and the Chair "so ordered."

Representative Morita's written remarks are as follows:

"Mr. Speaker, I would like to insert the following items into the Journal:

1. A Chart comparing the life cycle costs of various water heating devices

2. An opinion-editorial supporting Senate Bill 644 by Jeff Mikulina and Henk Rogers

"Water Heater Life Cycle Cost Comparison

	kWh rate	**Gas Water Heater** Life Cycle Cost	**Heat Pump Water Heater** Life Cycle Cost	**Electric Water Heater** Life Cycle Cost	**Solar Thermal Water Heater Life Cycle Cost**
Kauai	.412	16,202	19,632	40,774	9,961
Oahu	.250	16,807	14,511	25,158	8,425
Molokai	.380	15,395	18,672	37,638	9,673
Lanai	.375	17,378	18,352	36,678	9,577
Maui	.330	14,757	17,072	32,838	9,193
Hawaii	.366	17,378	18,032	35,718	9,481

Assumptions:

- Single Family Home 1
- Occupants Per Unit 4
- No. of Water Heaters 1
- Gallons Per Day Per Person 10.5
- Cold Water Temperature 70
- Hot Water Temperature 130
- Real Discount Rate 3%
- Gas & electric water heaters are replaced every 12 years
- Heat pump portion of a heat pump water heater (70% of initial cost) replaced every 7 years
- Tank portion of a heat pump water heater (30% of initial cost) replaced every 15 years
- Tank portion of a solar water heater (20% of initial cost) replaced every 15 years
- Solar water heater costs does not reflect utility rebate or federal tax credits

In presenting a talk this past March about the cost-effectiveness of solar water heating in Hawaii, Dr. Andy Walker of the National Renewable Energy Laboratory said the following:

> In sunny parts of the islands, solar water heating can deliver heat at a levelized cost of $.04 to $.06 per kWh. In less sunny areas the range is $.06 to .08 per kWh. Electric customers in Hawaii pay at least $.15 per kWh, depending on utility and customer class.
>
> In conclusion, solar water heating is cost effective at any location in the Hawaiian Islands under current conditions. Simple payback periods range from 8.5 years to 4.3 years, again depending on utility and customer class.

Present residential utility rates range from $.25 per kWh on Oahu to $.41 per kWh on Kauai, thereby making the simple payback for solar water heaters much faster than what Dr. Walker anticipated in his talk."

"The Honolulu Advertiser
May 1, 2008

Solar bill would move us closer to clean energy future
If our roofs could put the sun to work, we'd reduce need for oil
By Jeffrey Mikulina and Henk Rogers

Legend has it the demigod Maui used his fishing net to capture the sun over Haleakala so his mother could dry her tapa cloth. Today the Legislature has a chance to take a lesson from Maui and require new homes statewide to capture the sun to heat water.

The solar roofs bill (SB 644) would greatly increase the efficiency and affordability of new homes built in Hawai'i, moving us closer to a clean energy future.

At 22 degrees latitude, we are blessed with ample sunshine year-round in the Islands. Hawai'i is the Saudi Arabia of sun. On average, each home receives the energy equivalent of 15 gallons of gasoline in the form of pure sunlight on its roof each day.

We all should be putting that sun to work, heating our water and powering our homes. Solar water heating has been a tremendous success story for decades in Hawai'i, reducing the cost of living for homeowners and decreasing the need for fossil fuels. But the sad fact is just over one in five homes in Hawai'i take advantage of this decidedly low-tech energy solution.

Solar water heaters are among the most effective means of reducing the high electricity cost burden that residents now endure. The solar roofs bill will make the cost of living more affordable by slashing the electric utility bill of an average new home by 30 to 40 percent.

It's a boon to the state economy as well, helping to create clean "green collar" jobs locally and reduce the amount of money that leaves the state's economy to buy crude — often from countries who don't share our values.

While bold, the solar roofs measure is not without precedent. Israel has mandated that all new homes in the country come equipped with solar water heaters and now they are standard on some 95 percent of homes. Since January 2007, Spain has required solar water heaters on all new residential construction. Here in Hawai'i, the Navy has been building all of its new residential units with solar thermal.

New homes, of course, are only part of the picture — hundreds of thousands of existing housing units in Hawai'i need to be retrofitted with solar water heaters as well. That's why we want to make sure the 35 percent tax credit is continued (or increased) for existing homes. Since new homes won't be drawing on these solar retrofit incentive funds allocated by the Legislature, more should be available for retrofits.

As with most legislation, the final draft of the measure is a compromise. The measure contains reasonable exceptions to the solar requirement to address some of the concerns from developers and the Gas Company. A waiver can be granted if there is poor solar resource or if a solar water heater will be more costly than an electric heater over time.

If a new home uses an efficient on-demand gas heater and one other gas appliance, such as a gas stove, they can request a waiver from solar (although gas lines are rarely installed in new subdivisions). For the solar industry, this bill contains provisions to codify — in law — standards and quality-assurance criteria that will now govern solar water heater systems statewide. All in all, the solar roofs bill is smart policy, sensibly crafted to smooth a transition toward zero-energy homes of the future.

Rarely does the Legislature have the opportunity to forward a policy that addresses so many needs at once: the need for reduced carbon emissions, the need to reduce the cost of home ownership and the need for good local jobs in the clean energy field.

By following Maui's lead, we can capture the sun and put it to work reducing our dependence on oil. Senate Bill 644 is a solid step toward our preferred clean energy future. We encourage its passage.

Jeffrey Mikulina is director of the Sierra Club, Hawaii Chapter, and Henk Rogers is the founder of Blue Planet Foundation. They wrote this commentary for The Advertiser."

Representative Berg rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support of this. At this particular moment, I'm really excited to be able to say to my constituency that our Legislature is taking bold steps forward. I hope that the Building Trades Association, Retail Merchants will impel us to make similar legislation next year with regards to businesses and large facilities.

"As a new motorcycle rider myself, I'm impressed with Harley-Davidson's foresight and especially the storage facility in Hawaii Kai that, to their own expense, is using an air conditioning system based on renewable sources. So I appreciate this and I look forward to more advanced and progressive legislation next year."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much Mr. Speaker, in support. Your Committee on Economic Development & Business Concerns was the second Committee to hear this measure, and when we looked at this, we had concerns as to what was the cost to the community and what were we going to add to the cost of living to the community.

"Mr. Speaker, we have always said that protecting the environment is very important, but it's how we get there. This measure is a good example of how we can get there and be cost effective. I'd also like to insert written comments on this measure," and the Chair "so ordered."

Representative Yamashita's written remarks are as follows:

"Mr. Speaker, I rise in strong support of SB644, CCR169.

"The purpose of this measure is to require the installation of solar energy or comparable renewable energy devices to heat water in the construction of every new residential single-family residence after January 1, 2010.

"Crude oil prices continue to rise with no relief under the State's direct control in sight and our dependence on fossil fuel imports jeopardizes the viability of our state's economy and our environment.

"This measure is a critical step in securing Hawaii's energy future and reducing our contribution to global climate change. It will lessen our dependence on fossil fuels, protect our environment and bring great cost savings for homeowners by lessening electricity expenses."

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 644, SD 3, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY RESOURCES," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 170-08 and S.B. No. 871, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 871, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. On Conference Committee Report 170, Relating to Food Waste Recycling, this is for the pilot program for one or more schools to come up with a program to recycle food waste at the school. In Committee, the Department of Education was not in favor of it. There's $25,000 of general fund money and the DOE will have to work with the Department of Health, and it appears to me we have two kind of unwilling departments that have to do this, and I think we should wait until we have some consensus and agreement that everybody would like to try that. Thank you."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 871, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD WASTE RECYCLING," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Meyer and Pine voting no, and with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

Conf. Com. Rep. No. 171-08 and S.B. No. 2082, SD 2, HD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2082, SD 2, HD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Awana rose to speak in support of the measure, stating:

"Mr. Speaker, I am in support of this measure."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2082, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY," passed Final Reading by a vote of 47 ayes and, with Representatives Bertram, Nakasone, Sagum and Sonson being excused.

At 1:26 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 2850, SD 2, HD 2, CD 1
S.B. No. 156, SD 2, HD 2, CD 1
S.B. No. 3174, SD 2, HD 2, CD 1
S.B. No. 3252, SD 2, HD 2, CD 1
S.B. No. 644, SD 3, HD 3, CD 1
S.B. No. 871, SD 2, HD 2, CD 1
S.B. No. 2082, SD 2, HD 1, CD 1

Conf. Com. Rep. No. 172-08 and S.B. No. 1804, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 1804, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Mizuno rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I rise in support for Conference Committee Report 172-08. This measure is to establish additional funding mechanisms to enhance the availability of revenues in the Trauma System Special Fund to ensure the availability of care for our trauma patients in the State. The additional funding mechanism to the Trauma System Special Fund will come by way of a trauma surcharge on penalties for various offenses such as speeding and vehicle accidents involving death or bodily injury. A nexus does exist for the trauma surcharge, as over 50% of our trauma patients have evidence of alcohol or drugs. This relates to the Trauma Fund, as money collected for such violations will help to ensure such patients have adequate trauma care. Such a funding mechanism will ensure the continued viability of a trauma center statewide.

"In fact Mr. Speaker, in January 2006, the Legislative Reference Bureau published a report on our crisis and trauma care entitled, 'On-Call Crisis in Trauma Care: Government Responses' and if I may quote, the report does state, 'The rationale for public support of uncompensated trauma services is the same as for critical police and fire services; a trauma system is a necessary public service that ought to be publicly supported.'

"Today this body will have the opportunity to vote in support of a bill to provide for additional funding to Hawaii's Trauma System Special Fund. This bill is to ensure the health, welfare, and safety of the citizens and visitors of our State. I respectfully urge all Members to support Senate Bill 1804. Thank you, Mr. Speaker."

Representative Green rose in support of the measure and asked that the remarks of Representative Mizuno be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Meyer rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 1804, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAUMA SYSTEM SPECIAL FUND," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sonson and Waters being excused.

Conf. Com. Rep. No. 173-08 and S.B. No. 2083, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2083, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE SUPERVISION OF ADULT OFFENDERS," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sonson and Waters being excused.

Conf. Com. Rep. No. 174-08 and S.B. No. 2423, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2423, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. I stand in strong support on this measure. Mr. Speaker and colleagues, I'm asking for your support on this measure. As you remember at the turn of the century, Dillingham had a train that went around Kaena Point and the coastline, and the pristine valleys that we have in that area. In our area of the North Shore, we have the Kaena Point NARS system which we approved a couple years ago and we saved that area. Also as you move on this train on the coastline, you stop at Waimea Valley. Waimea Valley was tormented by developers that wanted to come in. The City, the State, and the federal government came together with the Trust for Public Land to work together in getting this valley. They succeeded the other year to get it, and now it's in the hands of OHA.

"As we continue this journey we go down to Pupukea/Paumalu, which is right above Sunset Beach, right in front of the famous surfing spot we have on that side. We had a partnership there with the North Shore Trust for Public Land. We had Obayashi who

wanted to develop the area, and the community spoke. We had a big Ho'olaule'a this year to honor that. So this train is going to keep on moving, and for us on the North Shore as we look at other bills relating to land, we want to preserve the pristine lands that we have. I'm asking my colleagues to take a look at this because right now they way the bill is crafted, we are working with the Governor to look at ways of getting the best deal. Plus there is no money in this bill. Basically the money they have is taken out of the reserve funds of the Department of Land and Natural Resources of $250,000.

"I ask my colleagues to take a good look at this. I know a lot of you have your priorities regarding your island and your coastline, but because this is something that the Governor mentioned, and it just so happens that this beautiful spot is in my area, so I'm asking for my colleagues to support it as we move forward. We have no guarantee, but we have other important ag lands we have to take a look at also. Again Mr. Speaker and colleagues, I ask for your support, thank you."

Representative Cabanilla rose to speak in opposition to the measure, stating:

"Mr. Speaker, I rise in opposition of this matter. I believe that we should keep the country, country. But I'm rising in opposition on the principle of equity. The reason why we are trying to pass this bill or the bill was drafted, is because the North Shore does not have infrastructure. I've been in this Chamber for four years, and I've been yelling for infrastructure for the West Side. And nothing is being done. I'm talking about every day, new houses are being built.

"For Act 178 of Hawaii's Session Laws 2005, this body included in the budget an expenditure of $200,000, a mere $200,000, for conducting a Pearl Harbor feasibility study to open the transportation crisis along the Leeward Coast of Oahu. The Governor refuses to release this money to explore possible transportation solutions for West Oahu. The money will …"

Representative Meyer rose, stating:

"Mr. Speaker is the present speaker talking to this bill?"

The Chair then stated:

"She's making some connection to this particular bill, yes. So please proceed as tied to the 2005 appropriation."

Representative Cabanilla continued, stating:

"Thank you Mr. Speaker. Mr. Speaker, I cannot convey to my constituency that I support this expenditure of $250,000 to explore some options for saving North Shore infrastructure shortcomings in defense of keeping the country, country when the Governor will not even entertain the possibilities of building West Oahu a reversible expressway to keep up with all of the development being placed in my neck of the woods.

"To vote 'yes' and approve the Governor's spending an initial $250,000 to merely weigh in on the property concerning the Turtle Bay confines, is to take the position that it's okay to ignore the lack of infrastructure facing West Oahu. And that it's okay to look the other way when massive amounts of farmland in West Oahu are being sold off to developers. So I ask you my colleagues, is it okay to authorize the Governor to spend $250,000 to be used as a guise to eventually put a halt on developing property on the North Shore, while at the same time the Governor refuses to examine, for a lesser amount of money, a way to resolve West Oahu's traffic blight with the tunnel study? We, the people of West Oahu, refuse to be second-class citizens. Thank you, Mr. Speaker."

Representative Pine rose to speak in support of the measure, stating:

"In strong support. I first want to, in the defense of the Governor and this Legislature that basically funds a lot of our roads, I do want to thank the Governor and the Legislature for making the West Side a priority in traffic relief. This Legislature and the Governor, in just the brief four years I've been here, has allocated over $150 million just for roads alone for our districts in the Ewa Plains. So I'll take $150 million over $250,000 any day. And I don't think that the people of Ewa would want to short change the people of the North Shore who've gotten much less than us, and this is something that's going to help all of us and keep our country, country so when you go there it'll still be the same. Thank you."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker I stand in strong bipartisan support, with colleagues from the North Shore, and I think probably all over this island. Mr. Speaker this is truly a landmark piece of legislation. For all of us who live on Oahu its equivalent to the decisions in the '60s and '70s when they said ‘Kaanapali will be a cluster development and will not be sprinkled all over Maui.' When Waikiki was decided that the boundaries would be the Ala Wai Plaza and not sprinkled all over Oahu. This is drawing the line where country is country, and expansion of tourism or destination areas will be limited or confined to certain spaces.

"There is a rich history behind this bill, not just with what is now, in the Lingle-Aiona Administration, but with the alertness of the Governor to this particular opportunity. In the past, the North Shore had come together with the purchase of the community assets in Waimea Valley. This is equivalent to what has been done in the past. When Turtle Bay went into foreclosure, that became the opportunity for the Governor to act, to preserve for generations the beauty which is at the North Shore, and that it doesn't become another mini Waikiki or a huge tourist attraction. Mr. Speaker, the bill is also modeled after the spirit of Kukui Gardens, the one that allowed the preservation of affordable housing in Downtown Honolulu.

"This bill, as mentioned, is only $250,000 for the purpose of negotiating with the landowner to enter into a cooperative agreement with other entities to acquire the property. Mr. Speaker, we are not getting into the hotel business, we are simply negotiating whether the hotel will be run and operated by the private sector. It also authorizes if necessary the use of eminent domain in the access and purchase of this particular property. The bill also, Mr. Speaker, allows the State to use a wide variety of investment in combination of assets to negotiate the acquisition, that is a private-public partnership in many different ways of which the tax payers, I believe, will not be affected at all.

"There is wide support for this endeavor. I had the opportunity to go to Kahuku High School the night that probably 600 to 700 residents came out in almost a unison of support for this particular purchase. And the Governor is not doing it alone, Mr. Speaker there is an advisory working group, the Turtle Bay Advisory Working Group, I think it's a bit big with 31 people and sometimes many, many voices to hear, but it's moving as a group, it's not going to be unilaterally by the government or by the Governor, but it's going to be a decision by the community.

"Mr. Speaker I think this is a good decision, it's a line in the sand to say like we have in many other parts of the island, including my district in East Honolulu, we will not make a tourist destination in Hawaii Kai. We will not have an expansion of Turtle Bay as it is now. We will have enough that it can survive, but we will keep the country as much country as possible. Thank you, Mr. Speaker."

Representative Wakai rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. Mr. Speaker we see the telltale signs of a slowing economy. For three straight quarters the Council on Revenues had dropped its revenue

forecast. On Monday we passed a budget that forced us to cut the Governor's Supplemental Budget request by $44 million. With Hawaii's economic vitality in question, how in the world can we begin going down the road of spending hundreds of millions of dollars of taxpayer money for the purchase of Turtle Bay? Sure, it certainly would be nice to have. It would also be nice to have school campuses that weren't falling apart. It would be nice to have harbors that didn't crumble into the ocean. It would be nice if we had more money to address the homeless problems in Hawaii.

"I really doubt and question if we as a state can afford to purchase Turtle Bay. We are about to purchase Galbraith Estate, and at least that is in the State's budget. The acquisition of Turtle Bay has not been part of the Governor's or the Legislature's financial plan. We are not buying a forest here. There is a hotel and a golf course on the property. The State does not have the expertise to run a business or get into management contracts to run these operations. And if their end game is to condemn the land and sell off all the pieces to other companies or environmental groups, then let the market forces play out and may the best and highest bidder win.

"This measure is getting a lot of people's hopes up without a clear plan for financing its purchase. This is like selling the people on the need to build an aquarium in Ko Olina which will never be built. Thank you, Mr. Speaker."

Representative Ching rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in strong support. And I do ask that the words of the Representatives of Hawaii Kai and the North Shore be entered as my own. Mr. Speaker, I think it's so important that we not pit district against district because someone didn't get something out of it, and this good idea cannot go forward. If it's a good idea and if it benefits the people of the State of Hawaii. We are an island. We are a state of many islands, but on this island, let me put it in perspective. Compared to states on the mainland, we're very small. So when we benefit open space and make sure that we have beauty and we invest in beauty on the North Shore, we all benefit. And most of all we should always remember, our number one industry to date is still tourism, and we don't want to kill the goose that lays the golden egg. People do not come here because it looks like from where they come. They come here because of the beauty of Hawaii. Thank you."

Representative Har rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I rise in support with reservations of Conference Committee Report No. 174-08. Mr. Speaker, as this body knows this bill comports with the Governor's plan for the State to purchase Turtle Bay as discussed during the Governor's State of the State Address. As an initial matter, Mr. Speaker, I would like to applaud the Governor for this bold move and for her vision to preserve and protect some of the last remaining open space along the North Shore. I also want to recognize and commend the many individuals who came out before the Finance Committee to testify in support of this measure including Professor Denise Antolini from the Richardson School of Law, a former Law professor of mine.

"My reservations however Mr. Speaker stem from three main reasons. The first being priorities. It is our job to determine the priorities of government when funding projects. This becomes even more paramount when the State's economy is slowing down. This transaction allows the State to, among other things, issue general obligation bonds for the purchase of Turtle Bay. As this body knows, the State floats general obligation bonds to build schools. My district has two of the four multi-track schools in the State, and we cannot seem to build schools fast enough because of budgetary constraints. I submit that many of my constituents strongly believe that building schools in the fastest growing district in the State of Hawaii is a higher priority than purchasing Turtle Bay.

"This bill would further allow the Governor to exercise the State's power of eminent domain if an agreement to acquire Turtle Bay is not reached in a reasonable time as determined by the Governor. On this point, I refer to the testimony of Nicola Jones, CEO of Kuilima Resort Company, the owner of Turtle Bay Resort. Specifically, Ms. Jones states "Kuilima cannot support any proposed legislation which suggests that the State of Hawaii acquire the Turtle Bay Resort by exercising the power of eminent domain, as such action would clearly interfere with Kuilima's vested legal rights."

"My reservations with this measure not only deal with priorities, but deal with the fact that should the Governor exercise the State's power of eminent domain, we are inviting a potential lawsuit against the State for interfering with Kuilima's vested legal rights. That, Mr. Speaker, is not good public policy.

"Finally Mr. Speaker, my reservations stem not only from priorities and the potential litigation from this bill, but from the Governor's senior policy advisor, who I have great respect for, but who herself admitted that this is a complicated measure. In other words, this is not a simple land transaction involving a purchase of property by the State. Instead, there are many issues that will have to be addressed that preclude this from being a simple land transaction. For example, the bill states "The land to be acquired shall include the unimproved lands that are not used for the hotel and resort property or any appurtenant uses thereto, including but not limited to golf courses, stables, condominiums, parking areas, nurseries, and physical plants." What this means is that the purchase could include things such as golf courses, stables, condominiums, parking areas, nurseries, and physical plants, which inevitably will lead to additional costs and subsequent issues for the State such as management agreements as noted by the Representative from Salt Lake.

"Again, I refer to the testimony of Ms. Jones, the CEO of Kuilima, who states "The Governor and many others who have testified in support of this measure recognize the importance of maintaining the current Resort operations for employment, recreation opportunities and the economic benefit to the region of the visitor draw. A very important issue to bear in mind is the cost, over and above the operating income, of keeping the Resort going, including the cost of necessary capital improvements and debt service." When I asked the Governor's senior policy advisor in the Finance Committee hearing as to what the Administration envisioned for handling these issues, she acknowledged that this was a complicated bill because of these types of issues.

"Again Mr. Speaker, I support the intent of this bill because it is in the public interest to preserve our open spaces. Tantamount is that I support my colleague from the 46th District. However, I don't believe that purchasing Turtle Bay is a priority at this time, versus the other needs we have in the State.

"Secondly, because I believe this bill could lead to litigation, and finally because of the additional costs and complicated issues associated with the purchase of Turtle Bay. But because I support the Governor and the intent of this measure, I rise with reservations. Thank you, Mr. Speaker."

Representative B. Oshiro rose to disclose a potential conflict of interest, stating:

"Mr. Speaker I'd like to ask for a ruling of potential conflict of interest. At my law firm, I am one of the attorneys representing the citizen group that has sued Kuilima Resort development," and the Chair ruled "no conflict."

Representative B. Oshiro continued in support of the measure, stating:

"Thank you very much. With that having been said I would like to rise in support and just make a few brief comments. I do agree with some of the concerns and objections that some people have, whether

truly this is going to be a high priority, and whether we have the money. But I think at the end of the day what we have to ask ourselves and what I've always been taught is, if you don't try and you don't ask, then the answer will always be no. So really, if you take a look at the bill and the tone of the bill, that is really all we're talking about and that's all that we're directing the Governor to do.

"Section 2 basically tells her that she has the authority to negotiate, that's all. And she should look at alternative means of funding as stated in lines 12 through 21. As we've seen with the Trust for Public Lands, they've been extremely resourceful in their ability to maneuver and negotiate and leverage additional funding to purchase a multitude of conservation lands all over our State and we've been the beneficiary of that. So for them to engage in one more endeavor, a huge one I do admit, but one more, I don't think is anything all too daunting at this point.

"The second thing is if you look at Section 3, what it states is that if at some point it's found not feasible, at that point then the Governor should try and look at cooperative agreements.

"Finally, if in the event, in Section 5, that cannot be done in a reasonable time, at that point eminent domain to acquire the unimproved property is authorized. But again while concerns have been raised about eminent domain and I do agree eminent domain is a means of last resort, I do think it's put in the bill for the specific purpose of a hammer. To let Oaktree know, to let Kuilima Resort Development know, that we are serious that we want to acquire this property. Without that language I think that this bill would lack the hammer that's necessary to make it truly meaningful.

"At the end of the day, there may be some concerns with the language in Section 5, lines 15 to 16 that says, 'for the purposes of this Act, condemnation of the property shall not be subject to legislative disapproval.' However as we know and as we've stated many, many times in this Legislature, one Legislature cannot bind another Legislature. One act does not bind a future act. Even if we decide at a later point that we want to disapprove, we can do that. Even if we decide at the end of the day that the money that's been requested for eminent domain, we can decide not to fund that. And that is a road that I agree will be a very, very long one in coming. Anybody that has seen a condemnation action knows that it takes several years of litigation to reach a valuation.

"So with all of that having been said, I do support at least the attempt that we try at this point to support the Governor, to support the North Shore community in their desire to have this property remain in conservation. Thank you."

Representative McKelvey rose to speak in support of the measure, stating:

"Thank you very much Mr. Speaker. I rise in support, and first could I adopt the words of the previous speaker as if they were my own. Probably a lot of you are wondering why a Maui guy is standing up to talk about Turtle Bay. The reason is that this is important for a number of reasons.

"I support all of the acquisition bills that are for open space. Because it really, in the end, it's good economics. If we look at the visitors who are coming in because of the weak American dollar, it's Canadians, Europeans and Australians. When polled, repeatedly, why did they come here, they come here for the cultural and natural pristine environment. As the speaker from Liliha said, they don't come from LA to see LA. And we have a real example in West Maui.

"As an aside if the Members can indulge me, many years ago I had a brief opportunity to talk to former US Representative Patsy Mink, who tried to help us to preserve the north beach of Kaanapali. And she said that this was one of her biggest regrets and that in the end it would hurt not only the people, but the State. We now have large skyscrapers there. When visitors are polled repeatedly why they are not going to return to the area, it's because, 'You are ruining the reason why we came.'

"Granted it's a complicated issue, there are a lot of things that need to be worked out. But as the good Majority Floor Leader said, we have to at least try. And I totally understand the concerns of my colleagues and I appreciate them. But in the end, I think this is good economic sense given the changing face of tourism in the State which is still our number one industry.

"So again I support my colleague from the North Shore, Senator Hee and the Governor in trying to move this forward. I know it's not easy, but at least we have to try because I do believe, maybe it's only my own personal take, it's a good strategy for us to be able to attract visitors from a very competitive visitor market from other destinations that are trying to woo away our visitors, and in the end that is going to really hurt our pocket books. Thank you, Mr. Speaker."

Representative Herkes rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition. I think all we're doing is bailing out a bankrupt company, and once again the Neighbor Islands are getting screwed. Five years ago we adopted the 11,000 acres of South Kona, truly a very, very historic site. You've been there Mr. Speaker, and other Members have, and it's because of lack of rainfall, lack of people living down there, it's exactly like it was hundreds of years ago.

"The protection of the South Kona Wilderness lands expires at the end of June, and Jeff Stone will be free to develop it. The Governor has done absolutely nothing for the last five years to try to protect that land, either through an acquisition or through trade. When we passed that bill we gave her $600,000 to do an appraisal, an independent appraisal, and to this date we've never seen an independent appraisal. The only appraisals we've had have been from Jeff Stone's people. And they valued that property as a build out, the same as Hokulia.

"Senator Inouye, through his resources, would like to be able to acquire that land such as he has acquired other South Kona lands, but we've never been able to give him an independent appraisal of that land. I can assure Jeff Stone that I will join with the people, the *kupuna* of Milolii to make sure that that land does not get developed. Thank you."

Manahan rose to speak in support of the measure with reservations, stating:

"Thank you Mr. Speaker, I rise with support, but with reservations. Before your House Committee on Tourism and Culture the Governor's Policy Advisor testified that she didn't need a bill to do the land acquisition, which is this bill that's before us right now. And then she came before the Finance Committee and conceded she took that part out of her testimony, which is almost identical, but said that, no, she does need a bill to do this, and she needed us to do this, so I'm just wary of the $250,000. There's no plan. I don't know what we're getting ourselves committed to, if we are making a commitment, and the expenditures that may follow after this, and for those reasons, I rise with reservations."

Representative Ward rose to respond, stating:

"Mr. Speaker, again I rise with support for what I believe is still strong bipartisan support on this measure, Mr. Speaker. Regarding the bill and the eminent domain, it's nothing that the Governor had ever asked for or said she needed, I think it was put in as one quoted, as a 'hammer'. I don't think the Governor deals with a hammer, and I don't think she needs one, but it's there. And I personally don't believe she'll probably even use the quarter of a million dollars that's in there, but it's a vehicle that shows that the government in unison is

moving together for the purchase of this valuable piece of property for the history of this State. Thank you."

Representative Takai rose in support of the measure with reservations, and asked that the remarks of Representatives Har and Wakai be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative M. Oshiro rose in support of the measure and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise to speak in favor of Senate Bill No. 2423, Conference Draft 1, Relating to Land Acquisition.

"This bill authorizes the Governor to negotiate on behalf of the State with private interested parties to purchase the resort property located in Kahuku, Oahu, owned by Oaktree Capital management, LLC, through its subsidiary Kuilima Resort Company and their successor in interest. The subject property under negotiation includes the lands known as the Turtle Bay Hotel and Resort.

"The Koolauloa-North Shore region known as Turtle Bay, located in the *ahupuaa* of Hana Kaoe in Kahuku, Island of Oahu, represents one of the last remaining partially developed shoreline areas on the most populated island in our State. The Turtle Bay area encompasses a total of 1,429 acres on the *makai* and *mauka* sides of Kamehameha Highway in Kahuku that includes unique and irreplaceable natural and cultural features, including Punahoolapa Marsh, Kawela Bay, and alluvial sand dunes.

"Since 1969, the majority of the property has been classified for urban land use. In 1986, the Honolulu City Council issued a special management area permit to Kuilima Development Company to allow the construction of up to 3,000 hotel rooms plus the development of residential units and commercial structures on the property.

"As one who has grown up in Wahiawa and considers the North Shore, my “backyard”, it is apparent that over the past 20 years, there has been significant change in the surrounding communities along the North Shore, as well as the rest of Oahu, such as increased traffic congestion and additional demands on remaining beaches, recreational areas, and undeveloped land. As such, it does not seem practical or of community benefit to consider the type of development previously approved. In fact, there is a lawsuit pending in Circuit Court that will determine whether there is a “shelf life” to a prior Environmental Impact Statement and whether a Supplemental Impact Statement should be required.

"Meanwhile, Oaktree Capital Management, LLC, the current owner of the Turtle Bay Hotel and Resort, has failed to make payment and as a result has been subject to a foreclosure action by the creditors for an estimated 880 acres of the property on the makai side of Kamehameha Highway. Accordingly, Oaktree has actively solicited bids for the sale of this property for resort development.

"It is important to the economic benefit of the community to ensure that the existing hotel and resort remain viable; that the jobs of the employees of this facility are protected; and that the proceeds from the sale of the developed parcels, to the extent possible, cover the State's costs to acquire and preserve a majority of the undeveloped area.

"Furthermore, the current global economic situation and the conditions faced by national financial markets are such that the State now has a unique and distinct opportunity to enter into negotiations for the purchase of the Turtle Bay property.

"As such, this bill will provide the Governor with the statutory tools to negotiate the acquisition of this important land. An appropriation of $250,000 from the Special Land and Development Fund, Department of Land and Natural Resources, has been made to cover expenses involved in hiring consultants, conducting appraisals, and covering other costs. In retrospect, however, it truly is unfortunate that the Governor waited for her State of the State Address to notify the community and Legislature of her desire and intentions. For had she been proactive, it would have elevated the issue to a broader State wide community and not merely a local issue for those fortunate to live on Oahu’s North Shore. It may have even enabled the Neighbor Islander to understand and appreciate the importance of this acquisition for the people of the North Shore, Oahu. Because of her delay, it also appears that federal assistance will likely not be forthcoming and Hawaii’s Congressional delegation raised similar displeasure with the Governor’s untimely announcement.

"In the end, however, it is my sincere hope that this bill will suffice, because it would really be tragic for the Governor to raise the expectations of the citizens of that entire region, only to see these efforts fail. In fact, many of my friends on the North Shore know that it has been a chief concern for me ever since the public announcement during the much publicized State of the State Address. That is, was the community of the North Shore being used for the Governor’s own political legacy? Were the members of the Turtle Bay Advisory Working Group and their individual and collective community reputation being exploited? Was this an attempt to rehabilitate the Governor’s standing with the Environmental Community and activist organizations like the Sierra Club of Hawaii to atone for the events leading to and concluding with the 2007 Hawaii Superferry Special Session debacle? Only time will tell.

"Indeed, one of the reasons that I am submitting written comments is to formally recognize and memorialize the members of the North Shore Community who have unselfishly volunteered to serve on the Turtle Bay Advisory Working Group. They are, William Paty (chair), trustee, Mark A. Robinson Trust; and former chair, Board of Land and Natural Resources**;** Denise Antolini, associate professor of law and director, Environmental Law Program, University of Hawaiʻi, William S. Richardson School of Law**;** Cy Bridges, cultural director, Polynesian Cultural Center and president, Native Hawaiian Hospitality Association; Mitch Costino, president, Kuilima West Homeowners Association; Councilmember Donovan Dela Cruz**,** Council District 2 (North Shore, Wahiawa, Mililani, Ahuimanu); Eric Gill**,** financial secretary – treasurer, Unite Here Local 5; Sen. Clayton Hee**,** Senate District 23 (Kahuku, Laʻie, Kaʻaʻawa, Kāneʻohe); Lea Hong**,** director, The Trust for Public Lands; Ted Liu**,** director, Department of Business, Economic Development and Tourism; Rep. Michael Magaoay, House District 46 (North Shore, Mokulēʻia, Schofield); Ernest Martin**,** Deputy Director of Department of Community Services, City and County of Honolulu; Cathleen Mattoon, past president, Koʻolauloa Hawaiian Civic Club, member Punaluʻu Community Association; and officer Keep the Country Country, Inc.; Blake McElheny, president, North Shore Community Land Trust and member, North Shore Neighborhood Board #27; Steve Metter**,** CEO and principal, MW Group, Ltd.; Junior Primacio, member, Koʻolauloa Neighborhood Board #28, and president, Kahuku Community Association; Laura H. Thielen, chair, Board of Land and Natural Resources; Dr. Steven Wheelwright**,** president, Brigham Young University – Hawaiʻi. And, so, whatever might be the outcome of this bold proposal, future generations of North Shore residents should know that their local leaders came forward to serve their community in this time of great need and a time of great opportunity.

"It is for all these reasons, that I support this measure. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2423, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND ACQUISITION," passed Final Reading by a vote of 37 ayes to 10 noes, with Representatives Berg, Cabanilla, Carroll, Green,

Hanohano, Herkes, Morita, Saiki, Tokioka and Wakai voting no, and with Representatives Bertram, Nakasone, Sonson and Waters being excused.

Conf. Com. Rep. No. 175-08 and S.B. No. 2915, SD 2, HD 1, CD 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the report of the Committee was adopted and S.B. No. 2915, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sonson and Waters being excused.

Conf. Com. Rep. No. 177-08 and S.B. No. 2646, SD 2, HD 2, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that S.B. No. 2646, SD 2, HD 2, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Carroll rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. Also in opposition to Senate Bill 2646 relating to IAL. Mr. Speaker, I would like to just paraphrase from an email that I received from Councilmember Joanne Yukimura from Kauai. 'We import 90% of our food in Hawaii. With food riots in various parts of the world and the rising cost of oil are telling us that we have to get serious about in-state food production. The agricultural lands of importance to this State are a resource that we will desperately need in the near future. We must not allow our best agricultural lands to be subdivided and paved over through that 15% provision of the bill," and I share the concerns not only from the former mayor of Kauai, but the concerns of hundreds and hundreds of emails that I've received from people that are saying, 'This is not the way to go. Don't pass this bill', and I hope other colleagues in the House will join me in voting no. Thank you."

Representative Berg rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Berg's written remarks are as follows:

"Mr. Speaker, I rise in opposition of SB 2646.

"In short, SB 2646 provides less responsible large landowners a huge potential windfall. Two of the most problematic sections would open up current Ag District lands for Urban and/or Rural District uses, which could negatively impact authentic intentions of addressing our agricultural needs and lead to the kind of abuses which are currently evident in Ag Districts, to which counties have been turning a blind eye. This bill would legitimize such currently illegal uses in the future.

"The following specific aspects of the bill should cause us concern, as well:

1) Landowners would be able to reclassify 15% of their lands to urban or rural under an expedited Declaratory Ruling Petition if they designate 85% of their lands as "important agricultural lands" (IAL). The implication of using this procedure is to avoid contested case procedures, which would otherwise apply, in favor of only public hearings.

2) Instead of having to meet the 8 criteria set by the 2005 Legislature to designate IAL, a landowner combining lands under this declaratory order procedure needs only meet two (2) of the eight (8) regular criteria. That means that lands that might not otherwise qualify as IAL under current law would qualify easier, in order for landowners to get the 15% "gift" of reclassifying to urban or rural.

   "The result of both of these provisions in the bill is that a landowner, to qualify for the 15% "gift" of reclassified land, need only designate IAL without regard to whether actual agriculture is feasible on it or whether the IAL conforms to "general, development, and community plans of the county." (section 18 of SB 2646, CD 1, under the proposed HRS sec. 205-44(b).

3) This bill also gives large landowners the opportunity to get State tax credits for attempting to deprive taro farmers of water from streams by allowing tax credits for "qualified agricultural costs" supporting IAL use. These costs not only include the costs for the repair and maintenance of irrigation ditches and transmission facilities, but the legal costs of fighting for permits against others, which could include taro farmers, in order to provide water to IAL. (section 4 of SB 2646, CD 1, under the proposed new HRS sec. 235-__(k), items 1 and 4)

4) The only apparent restriction on this brazen expedited land development scheme is the requirement that any land slated for the Urban District conform with "general, development, and community plans of the county." However, there is NO similar restriction for lands that one seeks to reclassify to the "Rural" District. This provision would allow for luxury residential subdivisions that would otherwise be illegal under the Ag District. The most prominent examples of where such a provision can benefit the landowner in reclassifying such proposed developments is Hokulia and La`au Point, both of which are now pending before the LUC.

"Mr. Speaker, this bill is the most blatant land development grab in history, disguised as an IAL incentive measure. It not only rewards the large landowners to urbanize a portion of their land in exchange for designating a percentage as "important agricultural land," it also provides a corporate bailout to former plantations and large landowners, essentially offering State support for further water diversions.

"Mr. Speaker, I urge my colleagues to record their votes against SB 2646, CD 1. This bill is not prudent for Hawaii's agricultural future or for the security of our food needs and requires us to give up far too much to support true agricultural activity."

Representative Hanohano rose to speak in opposition to the measure, stating:

"Mahalo ka ha'i 'ōlelo. Makemake au i koho 'a'ole no keia pila kenekoa 'elua 'eono 'ehā 'eono e pili ka 'āina 'oihana mahi 'ai nui. 'O ka mana'o mua he mana'o maika'i. Aka ka mana'o hope 'a'ohe pono ka mana'o. 'O kākou hana no keia pila e hele me ka nānā pono a me ka mana'o pono. 'O ka 'āina he mea nui nō nā kupuna kahiko. Ina 'a'ohe 'āina, 'a'ohe mea 'ai, 'a'ohe 'ola nā po'e apau. Na ke akua e alaka'i kākou i nā mea pono a me ka maluhia. E holomua pono a loa'a e ka lei lanakila. Ke akua pu me kākou i pono ke ea o ka 'āina. Mahalo."

[Translation provided by Representative Hanohano:

"Thank you, Mr. Speaker. I am casting a no vote for the Senate Bill 2646, Relating to Important Agricultural Lands. The first part covers excellent issues. However the last part of the bill is not right. We need to move carefully on this bill. Land is an important issue for our ancestors. Without land, there is no food and we will not be able to sustain ourselves. May the grace of God lead us in the right direction and peace be with all of us. We must move forward on a righteous path that the adornment of victory will be realized. May

God be with us always, that the life of the land will perpetuate in righteousness."]

The Chair then stated:

"Representative Hanohano, would it be possible to have a translation for the Clerks Office so that we could insert it in the Journal for the general public?"

Representative Hanohano responded, stating:

"'Ā hiki nō."

Representative Brower rose to speak in support of the measure, stating:

"Thank you Mr. Speaker, in support. Was the previous Representative's comments in support of the measure?"

The Chair responded, stating:

"I believe in opposition."

Representative Ito rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Mr. Speaker, in 1978 the voters approved a constitutional amendment requiring the State to preserve and protect agricultural lands through the identification of important ag lands. Thirty years, Mr. Speaker, thirty years have passed since then, and the State has yet to implement this constitutional amendment, or requirement.

"In 2005 the Legislature passed Act 183, which established a framework for the designation of important ag lands. One provision requires the Legislature to provide incentives for landowners and farmers to voluntarily designate their lands as important ag lands. These incentives need to be placed before the Land Use Commission to begin such designations. Mr. Speaker, this bill achieves that mandate of Act 183 by establishing the following incentives.

"One, making more flexible the regulation of farm dwellings and agricultural employee housing on land designated by the owner as important ag lands.

"Two, creating an important Agricultural Land Qualified Agricultural Cost Tax Credit, under which a tax credit is made available for investments in improvements on important ag lands.

"Three, establishing an agricultural loan guarantee program.

"Four, requiring the expedited review of State permits for agricultural processing facilities.

"Five, mandating the Department of Agriculture and the Department of Land and Natural Resources to identify public lands that should be designated as important ag lands.

"And six, authorizing the designation of important ag lands in combination with the reclassification of other agricultural lands to rural, urban, or conservation.

"By declaratory order of the Land Use Commission. This is by the Land Use Commission. To proceed through this process, the landowner must propose a minimum 85% to 15% split in the declaratory order petition. That is at least 85% of land must be designated as important ag lands with the remaining to be reclassified as rural, urban, or conservation. Only high quality lands may be designated as important ag lands under this process. The lands must have sufficient water to support viable agricultural reproduction and contribute to maintaining a critical mass important for agricultural operating productivity.

"Additionally, the Department of Agriculture must certify the quality of the lands for designation with respect to the lands proposed to be reclassified to urban must be consistent with the relevant county general plan and community development or community development plan.

"Mr. Speaker, what is important, but overlooked, is that the Land Use Commission has full discretion to approve or reject the petition. In other words, the bill does not force the Commission to approve a petition merely because it is submitted by a farmer or a landowner. The bill also requires the Commission to approve or reject the petition in its entirety. In other words, the bill also does not authorize the Commission to approve only the rural or urban reclassification part of the petition, but reject the important agricultural land designation part.

"Mr. Speaker, what is the significance of designating important ag lands? Obviously, designating important ag lands, we preserve lands for agriculture operations rather than for food or biofuel crops. And people have been mentioning in this Chamber about the food prices. Just the other day I went to the supermarket and the rice shelf was all empty. The prices for chicken, eggs, and other commodities are going up.

"Secondary benefits will also be achieved such as maintaining open space, promoting aquifer recharge, preventing soil erosion, and limiting the outflow of domestic dollars to purchase oil or food.

"Mr. Speaker, what is the justification of this bill? The lack of sufficient public funds to expand on financial incentives. To designate important lands requires the Legislature to be creative and innovative."

Representative Finnegan rose to yield her time, and the Chair, "so ordered."

Representative Ito continued, stating:

"Thank you, Representative. This bill is crafted to make available more non-fiscal incentives than fiscal ones. Of the non-fiscal incentives, the 85/15 reclassification incentives is the most important. It is intended for land owners who would be willing to designate a large portion of their lands as important ag lands in return for a relatively quicker declaratory order process to reclassify a smaller portion of the other lands to rural, urban, or conservation.

"Mr. Speaker, the other incentives, especially the tax credit, are intended to assist smaller farmers, as well as large land owners. Mr. Speaker, your Committee on Water, Land, Ocean Resources and Hawaiian Affairs, for the last year and a half has traveled throughout the State, and we've been talking to landowners, farmers, elected officials, county officials, realtors, cattlemen, we talked to just about every person possible to give us input and come up with a bill. This bill, Senate Bill 2646. And Mr. Speaker, I'd like to use the phrase that the previous speaker used to sum up this bill. All it takes is political will. Thank you."

Representative Meyer rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. I'm rising in strong support for this measure. Senate Bill 2646 is a comprehensive package of incentives including the needs of farmers and landowners to enable long term viability of agriculture in Hawaii. This bill is an economic stimulus package for agriculture, and that has been discussed for years, and finally we've arrived at something that will do what we wanted done. Hawaii agriculture needs a boost and a positive economic solution. With this bill, we are taking a proactive step to enhance agriculture versus providing assistance when industries are in trouble, which is something we've done over and over, so I applaud the introducers of this bill and this is a very positive step for sustainable agriculture in Hawaii."

Representative Tsuji rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support. SB 2646 will continue our historic pathway to keep our farmers viable in our best agricultural lands and production. I too would like to observe what we have been toiling over with this issue ever since the State Constitution was amended some 30 years ago, and we are still working to preserve and protect important agricultural lands. When are we as a body, going to take that bold step in starting this effort to execute a constitutional mandate, I ask you? The time is now. Act 183 approved by this body in 2005 set up a framework and process to designate important ag lands. This measure builds upon this framework to strengthen our farmers' ability to be viable during these difficult and challenging economic times.

"This bill will provide incentives and much needed economic stimuli for our farmers. It will provide a tax credit for agricultural investments that will include some of the basic infrastructure needs and processing facilities across our State. This measure invites the private sector to the table to implement this action before it starts deteriorating. And it accelerates the permitting process to facilitate expansions in a timely manner that will save millions for farmers and ranchers alike.

"Further, this gives incentives for agricultural workforce housing that is sorely needed to provide for a strong workforce. And as previously stated, it sets up a guarantee agricultural loan program that will encourage further investment in developing agriculture infrastructure and its operations.

"Mr. Speaker, the agricultural aspects of this measure will have a positive impact on many farmers throughout this State. Farmers like Dean Okimoto and Richard Ha, who are just some of the more progressive farmers seeking innovative ways to diversify their agricultural operations. We should respect their wishes, ensure their way. We need this measure's incentives to ensure the viability of these farms and farmers. I would like to say that contrary to what some believe, this bill serves as a comprehensive economic stimulus package for Hawaii's agricultural industry.

"I believe, Mr. Speaker, that the benefits of this bill far outweigh any perceived negative aspects. The closure of Aloha Airlines, ATA Airlines, The Weyerhaeuser box plant, rising fuel costs, global shortages and increased cost input are just some of the difficulties putting our agricultural industry at risk. We cannot afford to stand by idly and let our farmers face such daunting challenges alone. Nor can we allow misinformation to dictate our actions as legislators. Such an approach can only lead to the demise of our agricultural industry. For the farmers and for the future of Hawaii, I encourage my colleagues to vote yes on this measure. Mahalo."

Representative Morita rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I rise in opposition to this measure. There's no doubt that this bill has many good provisions that we can all support, however in Section 19 of this measure, there's a potential of removing approximately 290,000 acres of agricultural lands to be placed in rural, urban, or conservation without the benefit of an open, transparent public process. On page 37 subsection (f), it states, 'The designation or reclassification of land pursuant to subsection (a) or (b) shall not be subject to the district boundary amendment procedures of sections 205-3.1 and 205-4.' Essentially what it means is that this removes the designation or reclassification from Chapter 91 proceedings, eliminating any kind of structured review of that petition.

"And again, I can support many of the provisions in this bill, but we should not, especially when it deals with this kind of acreage, remove these proceedings from any kind of public and transparent review. Thank you."

Representative Marumoto rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker, in support. I was a delegate to the 1978 Constitutional Convention and I'm very glad to see that finally this provision will be effectuated. I would like to have the words of the Chairmen of Agriculture and Water, Land committees adopted as my own," and the Chair "so ordered." (By reference only.)

Representative Shimabukuro rose in opposition to the measure, and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Shimabukuro's written remarks are as follows:

"SB 2646, HD 1 provides landowners a huge potential windfall. The two most dangerous sections would open up current Agriculture District lands for Urban and/or Rural District uses, either of which could negatively impact agriculture and lead to the kind of abuses currently illegal in the Agriculture District, but to which counties have been turning a blind eye. This bill would legitimize such uses in the future.

"For example, the bill allows landowners to reclassify their 15% of their lands to urban or rural under an expedited Declaratory Ruling Petition if they designate 85% of their lands as "important agricultural lands" (IAL). The implication of using this procedure is to avoid contested case procedures, which would otherwise apply, in favor of only public hearings.

"Moreover, instead of having to meet the 8 criteria set by the 2005 Legislature to designate IAL, a landowner combining lands under this declaratory order procedure need only meet two (2) of the eight (8) regular criteria. That means that lands that might not otherwise qualify as IAL under current law would qualify easier, in order for landowners to get the 15% "gift" of reclassifying to urban or rural. The result: a landowner, to qualify for the 15% "gift" of reclassified land, need only designate IAL without regard to whether actual agriculture is feasible on it or whether the IAL conforms to "general, development, and community plans of the county." See, section 18 of SB 2646, CD 1, under the proposed HRS sec. 205-44(b).

"For landowners like Alexander and Baldwin and Wailuku Agribusiness, this bill also gives it the opportunity to get State tax credits for attempting to deprive taro farmers of water from streams by allowing it tax credits for "qualified agricultural costs" supporting IAL use. These costs not only include the costs for the repair and maintenance of irrigation ditches and transmission facilities, but the legal costs of fighting for permits against others, which could include taro farmers, in order to provide water to IAL. See section 4 of SB 2646, CD 1, under the proposed new HRS sec. 235-__(k), items 1 and 4.

"The only apparent restriction on this brazen expedited land development scheme is the requirement that any land slated for the Urban District conform with "general, development, and community plans of the county." However, there is NO similar restriction for lands one can seeks to reclassify to the "Rural" District, which would allow for luxury residential subdivisions that would otherwise be illegal under the Agriculture District, after the Hokulia decision. The most prominent example of where it can benefit the landowner is reclassifying such proposed developments as Hokulia and La`au Point into the Rural District, both of which are now pending before the LUC."

Representative Karamatsu rose to speak in support of the measure, stating:

"Mr. Speaker, there are some misstatements about this measure that have been sent out to many of the members. I'm in support. I want to clarify some of the misstatements that have been sent to many of the members either through email or through papers that were dropped off at our offices.

"First off, the declaratory ruling for the 85% to be designated as important ag lands and 15% reclassified as rural, urban or conservation, is not a simple process and does not deny a petitioner an opportunity for a contested case hearing as stated by opponents of this measure. In fact, it is a detailed process. One, first of all, before you can even get your petition to the LUC, you have to get a certification from the Department of Agriculture. The Department will look at the lands to see if these are in fact viable and productive agricultural lands. So that's number one.

"Two, the LUC, Land Use Commission, may include reasonable conditions in the declaratory order. We put that provision in so the LUC could put conditions in this declaratory order.

"Three, the declaratory ruling for the 85% to be designated as important ag lands and 15% to be reclassified as rural or urban, is much more strict than the current law under Act 183. Under declaratory ruling there are two mandated criteria at the 8 criteria that are stated in Act 183. In Act 183, if you're looking in the bill of the 8 criteria, we asked the farmers, what is the most important thing to them. They said number one is water, and number two is critical land mass for production productivity. So if you look at the criteria under Act 183 you have to weigh it, and you can choose one of the criteria.

"Whereas in our 15%/85% reclassification or designation, you've got to have, not only weigh the eight, but you've got to have those two. You can't grow crops without water. And if you don't have land mass, then where are you going to grow your produce? So we're just trying to make it mandated, and it's a lot stronger than Act 183. So unlike that email that was going across our computers saying that this is weaker, it's actually stronger.

"The reclassification through the rural, urban, or conservation districts must fall within the classification criteria in our State statutes. The reclassification of the land to the urban district must be consistent with relevant county general and community development or community development plans. And also in Chapter 205-5 which says that the counties shall govern zoning for rural and urban districts, except for the conservation district which is under the State statues. The counties use the general and community development or community development plans as guidelines for their zoning. So they still have to abide by that.

"Five, with respect to a petition that seeks to both designate important ag lands and to reclassify agricultural lands to the rural, urban or conservation district, if the Commission finds that either the designation or reclassification as proposed by the petitioner should not be approved, the Commission shall deny the petition in its entirety. So if anything is wrong in any part of this reclassification or designation, then the whole thing is going to be stopped.

"Six, under the Commission rules in Section 15-15-103, any petitioner or party may request the commission to hold a hearing. So yes, you can have a contested hearing; you have to request it.

"Under the HRS 205-4 subsection (i), after the Land Use Commission makes a decision, and the party doesn't like this decision, you can also appeal. You can use the courts for additional judicial review. We wanted to include judicial review. The declaratory order for 85%/15% designation or reclassification, like I said, is much stronger than Act 183's current law and language.

"Under Act 183, the county process for identifying and recommending lands for important ag lands would not happen no sooner than three years after the enactment of legislation establishing important ag land incentives. After the Land Use Commission receives the maps from the counties and the recommendation of the Department of Agriculture and Office of Planning, the Land Use Commission shall then proceed to identify and designate important ag lands. But in our bill, it is incentive for the land owners, if they do designate 85% to IAL and the 15% that's going to be reclassified either in the other two classifications, we allow the Land Use Commission to designate lands into the important ag lands now despite …"

Representative Har rose to yield her time, and the Chair, "so ordered."

Representative Karamatsu continued, stating:

"Despite what the law says currently, we create an exemption to designate it right now, because we don't have time to wait, there're too many delays in the current law, so we don't want to wait on this process because we don't want to lose any more important ag lands. What we want to do is save the lands right now, and we want to start the process now. So with these incentives enacted, it will take three years for the mapping process. But with this incentive, we can do it right now. And that's the incentive for the landowner to designate it, an incentive for us. It's a good trade off for the incentives, so that the State can get its lands right away.

"Another thing we also put in that the current law doesn't have is a provision that says you cannot remove important ag lands unless you get a Concurrent Resolution by both the House and the Senate. So that's our way of making sure that we have the best lands, and we have that final review after the Department of Agriculture, after the counties, after the LUC, etc., we as a Legislature can finally review, is this in fact important ag lands. So we have that jurisdiction as well.

"So let me emphasize, if you read the current law and you see what the email said, our bill is much, much stricter, much more stronger than the current law in making sure that we got good agriculture land. Because the criteria is strict, we have a process for a review that's a lot more strict, and we're trying to implement it right now instead of trying to delay the process. If you go with the current law without this incentive, we might not have all the ag lands left that we see in front of us. So thank you very much."

Representative Magaoay rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. On this measure in support with written comments. Especially in my community, my community is basically the last agriculture frontier once Kunia gets built up because all that time, it was from Del Monte, Kunia, Poamoho, Galbraith, and it all goes up to Laie, so basically the North Shore will be the last agriculture frontier on Oahu. Thank you."

Representative Magaoay's written remarks are as follows:

"Thank you, Mr. Speaker. Mr. Speaker, the incentives within this package were developed over time with many discussions. They cover a wide range of incentives, covering the critical areas for long term agricultural expansion in Hawaii. We understand as these incentives are passed, a similar package must be passed by the Counties.

"In 1978, the Hawaii State Constitution was revised to add Article XI, Section 3, which mandates: "The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self-sufficiency, and assure the availability of agriculturally suitable lands. " Act 183, Session Laws of Hawai'i 2005 established standards, criteria, and mechanisms to identify important agricultural lands and implement the intent and purpose of Article XI, Section 3, of the Hawaii State Constitution.

"Mr. Speaker, the measure we have before us represents another step toward securing the future of agriculture in Hawai'i. The incentives and protections provided by this Senate Bill reflect years of discussion and study in which diverse groups have come together with the common goal of conserving important agricultural lands and ensuring a vital, sustainable agricultural industry in the State. This measure will also create value and stability for landowners and agribusinesses which will promote the establishment and long-term survival of agricultural ventures on important agricultural lands.

"Important Agricultural Lands is an agricultural viability initiative. While there are examples of agricultural successes across the State, we have more examples of agriculture struggling or failing. During the past year we have seen dairies close, so now we only have dairies on the Big Island after next month. Egg farms now can be counted on one hand. I think both of these industries are agricultural commodities critical to self-sufficiency, yet we are losing them. Mr. Speaker, I urge my colleagues to support this measure in preserving important agricultural lands for our future generations. Thank you, Mr. Speaker."

Representative Karamatsu rose and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Karamatsu's written remarks are as follows:

"I rise in support. In 1978, voters approved Article XI, Section 3, of the Constitution of the State of Hawaii, which sets out the framework for state policies to promote agriculture and the conservation of productive agricultural lands in the State. Article XI, Section 3, reads as follows:

> The State shall conserve and protect agricultural lands, promote diversified agriculture, increase agricultural self sufficiency and assure the availability of agriculturally suitable lands. The legislature shall provide standards and criteria to accomplish the foregoing.
>
> Lands identified by the State as important agricultural lands needed to fulfill the purposes above shall not be reclassified by the State or rezoned by its political subdivisions without meeting the standards and criteria established by the legislature and approved by a two-thirds vote of the body responsible for the reclassification or rezoning action.

"To address the issue of important agricultural lands, Act 183, Session Laws of Hawaii 2005, established standards, criteria, and mechanisms to identify important agricultural lands and to implement the intent and purpose of Article XI, Section 3, of the Hawaii Constitution.

"Act 183 also recognized that while the supply of lands suitable for agriculture is critical, the long-term viability of agriculture also depends on other factors, including:

(1) Commodity prices;

(2) Availability of water for irrigation;

(3) Agricultural research and outreach;

(4) Application of production technologies;

(5) Marketing; and

(6) Availability and cost of transportation services.

"The purpose of Senate Bill 2646, Senate Draft 2, House Draft 2, Conference Draft 1 (Senate Bill 2646) is to establish a variety of incentives that meet the requirements of Act 183 by:

(1) Providing incentives and protections to establish and sustain viable agricultural operations on important agricultural lands;

(2) Providing for the designation of important agricultural lands on public lands by:

(A) Requiring the Department of Agriculture and Department of Land and Natural Resources to jointly identify the state-owned lands that should be designated as "important agricultural lands";

(B) Transferring management authority over those lands to the department of agriculture; and

(3) Providing for the combined designation of important agricultural land and reclassification to other land use districts by declaratory order of the land use commission.

"Senate Bill 2646 is a comprehensive bill that addresses the issue of designating our important agricultural lands that has remained unresolved for thirty years. The following are the details of Senate Bill 2646.

Important Agricultural Land; Farm Dwellings and Employee Housing

"Farm dwellings and employee housing on important agricultural lands were identified as essential for a farm operation. The farmers expressed that they wanted to be able to live and work on important agricultural land.

"Senate Bill 2646 amends Chapter 205, Hawaii Revised Statutes by adding a new section to Part III that allows a landowner whose agricultural lands are designated as important agricultural lands to develop, construct, and maintain farm dwellings and employee housing for farmers, employees, and their immediate family members on these lands; provided that:

(1) The farm dwellings and employee housing units shall be used exclusively by farmers and their immediate family members who actively and currently farm on important agricultural land upon which the dwelling is situated; provided further that the immediate family members of a farmer may live in separate dwelling units situated on the same designated land;

(2) Employee housing units shall be used exclusively by employees and their immediate family members who actively and currently work on important agricultural land upon which the housing unit is situated; provided further that the immediate family members of the employee shall not live in separate housing units and shall live with the employee;

(3) The total land area upon which the farm dwellings and employee housing units and all appurtenances are situated shall not occupy more than five per cent of the total important agricultural land area controlled by the farmer or the employee's employer or fifty acres, whichever is less;

(4) The farm dwellings and employee housing units shall meet all applicable building code requirements;

(5) Notwithstanding section 205-4.5(a)(12), the landowner shall not plan or develop a residential subdivision on the important agricultural land;

(6) Consideration may be given to the cluster development of farm dwellings and employee housing units to maximize the land area available for agricultural production; and

(7) The plans for farm dwellings and employee housing units shall be supported by agricultural plans that are approved by the Department of Agriculture.

Important Agricultural Land Qualified Cost Tax Credit

"Tax incentives are a critical component of the long-term viability of agriculture on important agricultural lands in the State. The legislature finds that it is in the public's interest to assist agricultural businesses in establishing and sustaining viable agricultural operations on important agricultural lands by providing incentives such as income tax credits.

"The purpose of this part is to establish an important agricultural land qualified agricultural cost tax credit to establish and sustain viable agricultural operations on important agricultural lands.

"Senate Bill 2646 amends Chapter 235, Hawaii Revised Statutes, by adding a new section that establishes the important agricultural land qualified agricultural cost tax credit. The credit shall be deductible from the taxpayer's net income tax liability, if any, imposed by this chapter for the taxable year in which the credit is properly claimed. The tax credit amount shall be determined as follows:

(1) In the first year in which the credit is claimed, twenty-five per cent of the lesser of the following:

(A) The qualified agricultural costs incurred by the taxpayer after July 1, 2008; or

(B) $625,000;

(2) In the second year in which the credit is claimed, fifteen per cent of the lesser of the following:

(A) The qualified agricultural costs incurred by the taxpayer after July 1, 2008; or

(B) $250,000; and

(3) In the third year in which the credit is claimed, ten per cent of the lesser of the following:

(A) The qualified agricultural costs incurred by the taxpayer after July 1, 2008; or

(B) $125,000.

"If the credit under this section exceeds the taxpayer's net income tax liability for the taxable year, the excess of the credit over liability shall be refunded to the taxpayer; provided that no refunds or payments on account of the credits allowed by this section shall be made for amounts less than $1.

"If in any taxable year the annual amount of certified credits reaches $7,500,000 in the aggregate, the Department of Agriculture shall immediately discontinue certifying credits and notify the Department of Taxation. In no instance shall the Department of Agriculture certify a total amount of credits exceeding $7,500,000 per taxable year. To comply with this restriction, the Department of Agriculture shall certify credits on a first come, first served basis.

""Agricultural business" means any person with a commercial agricultural, silvicultural, or aquacultural facility or operation, including: (1) The care and production of livestock and livestock products, poultry and poultry products, apiary products, and plant and animal production for nonfood uses; (2) The planting, cultivating, harvesting, and processing of crops; and (3) The farming or ranching of any plant or animal species in a controlled salt, brackish, or freshwater environment; provided that the principal place of the agricultural business is maintained in the State and more than fifty per cent of the land the agricultural business owns or leases, excluding land classified as conservation land, is important agricultural land.

""Qualified agricultural costs" means expenditures for:

(1) The plans, design, engineering, construction, renovation, repair, maintenance, and equipment for:

(A) Roads or utilities, primarily for agricultural purposes, where the majority of the lands serviced by the roads or utilities, excluding lands classified as conservation lands, are important agricultural lands;

(B) Agricultural processing facilities in the State, primarily for agricultural purposes, where the majority of the crops or livestock processed, harvested, treated, washed, handled, or packaged are from agricultural businesses;

(C) Water wells, reservoirs, dams, water storage facilities, water pipelines, ditches, or irrigation systems in the State, primarily for agricultural purposes, providing water for lands, the majority of which, excluding lands classified as conservation lands, are important agricultural lands; and

(D) Agricultural housing in the State, exclusively for agricultural purposes; provided that:

(i) The housing units are occupied solely by farmers or employees for agricultural businesses and their immediate family members;

(ii) The housing units are owned by the agricultural business;

(iii) The housing units are in the general vicinity, as determined by the department of agriculture, of agricultural lands owned or leased by the agricultural business; and

(iv) The housing units conform to any other conditions that may be required by the department of agriculture;

(2) Feasibility studies, regulatory processing, and legal and accounting services related to the items under paragraph (1);

(3) Equipment, primarily for agricultural purposes, used to cultivate, grow, harvest, or process agricultural products by an agricultural business; and

(4) Regulatory processing, studies, and legal and other consultant services related to obtaining or retaining sufficient water for agricultural activities and retaining the right to farm on lands identified as important agricultural lands.

"The Department of Taxation, in consultation with the Department of Agriculture, shall submit to the legislature an annual report, no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2010, regarding the quantitative and qualitative assessment of the impact of the important agricultural land qualified agricultural cost tax credit.

"There is appropriated out of the general revenues of the State of Hawaii the sum of $50,000, or so much thereof as may be necessary for fiscal year 2008-2009 for the Department of Agriculture to administer the important agricultural land qualified agricultural cost tax credit.

Loan Guaranty; Important Agricultural Lands; Agricultural and Aquacultural Loans

"Financing is also a critical component of the long-term viability of agriculture on important agricultural lands in the State. The legislature finds that it is in the public interest to assist agricultural producers in meeting their financing needs for projects that are located on important agricultural lands.

"The purpose of this part is to further implement Act 183, Session Laws of Hawaii 2005, by authorizing the chairperson of the Board of Agriculture to guarantee loans relating to agricultural projects located on important agricultural lands.

"Senate Bill 2646 amends Chapter 155, Hawaii Revised Statutes, by adding a new section to establish a loan guaranty on important agricultural lands for agricultural and aquacultural loans.

"From July 1, 2009, the chairperson of the Board of Agriculture may guarantee loans made by commercial lenders authorized to do business in this State, to agricultural producers for the purpose of developing and implementing agricultural projects; provided that the chairperson of the Board of Agriculture shall determine that: (1) The agricultural projects are located on lands designated as important agricultural lands pursuant to Part III of Chapter 205; and (2) The commercial lender has completed its due diligence in approving the loan, including ensuring adequate collateral.

"Any loan guaranty made pursuant to this section shall meet the following conditions:

(1) For any loan that finances operating costs, the maximum term of the loan shall be ten years;

(2) For any loan that finances capital improvement costs, the maximum term of the loan shall be twenty years;

(3) The interest rate charged on any loan shall be one per cent below the commercial lender's prime rate for as long as the loan guaranty is in effect;

(4) The loan guaranty may be up to eighty-five per cent of the outstanding principal amount of any single loan, but shall not include any fees or accrued interest associated with the loan or its collection; and

(5) The total principal amount of the guaranteed portion of all loans outstanding at any time shall not exceed $2,500,000.

""Agricultural producer" means a farmer, cooperative association, or landowner who derives at least fifty per cent of its gross income from agricultural or aquacultural activities.

"The Department of Taxation, in consultation with the Department of Agriculture, shall submit to the legislature an annual report, no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2010 that provides a quantitative and qualitative assessment of the impact of the loan guaranty program.

Hawaii Water Plan

"Water is essential for productivity on agricultural lands. Senate Bill 2646 amends the Hawaii Water Plan in Section 174C-31 of the Hawaii Revised Statutes to ensure the availability of water on important agricultural lands. Section 174C-31, Hawaii Revised Statutes, is amended by amending subsections (e) and (f) to read as follows:

""(e) The department of agriculture shall prepare a state agricultural water use and development plan for agricultural uses in the State in accordance with chapter 167 and this chapter, and subsequently modify and update the plan as necessary. The state agricultural water use and development plan shall include but not be limited to a master irrigation inventory plan [~~which~~] <u>that</u> shall:

(1) Inventory [~~the~~] <u>public and private</u> irrigation water systems;

(2) Identify the extent of rehabilitation needed for each system;

(3) Identify sources of water used by agricultural operations and particularly those on lands identified and designated as important agricultural lands under part III of chapter 205;

<u>(4) Identify current and future water needs for agricultural operations and particularly those on lands identified and designated as important agricultural lands under part III of chapter 205;</u>

[~~(3)~~] <u>(5)</u> Subsidize the cost of repair and maintenance of the systems;

[~~(4)~~] <u>(6)</u> Establish criteria to prioritize the rehabilitation of the systems;

[~~(5)~~] <u>(7)</u> Develop a five-year program to repair the systems; and

[~~(6)~~] <u>(8)</u> Set up a long-range plan to manage the systems.

The commission shall coordinate the incorporation of the state agricultural water use and development plan into the state water projects plan.

(f) Each county water use and development plan shall include but not be limited to:

(1) Status of water and related land development<u>,</u> including an inventory of existing water uses for domestic, municipal, and industrial users, agriculture, <u>particularly agriculture on lands designated as important agricultural lands under part III of chapter 205,</u> aquaculture, hydropower development, drainage, reuse, reclamation, recharge, and resulting problems and constraints;

(2) Future land uses and related water needs; and

(3) Regional plans for water developments<u>,</u> including recommended and alternative plans, costs, adequacy of plans, and relationship to the water resource protection and water quality plans."

Agricultural Processing Facilities; Permits; Priority

"Expediting the permitting process for agricultural processing facilities will further support farm operations in the State of Hawaii. Senate Bill 2646 amends Chapter 205 and Chapter 321 of the Hawaii Revised Statutes, by adding new sections to require any agency subject to these chapters that issues permits to establish and implement a procedure for the priority processing of permit applications and renewals, at no additional cost to the applicant, for agricultural processing facilities that process crops or livestock from an agribusiness; provided that the majority of the lands held, owned, or used by the agribusiness shall be land designated as important agricultural lands pursuant to this part, excluding lands held, owned, or used by the agribusiness in a conservation district.

Important Agricultural Lands; Public Lands

"Before December 31, 2009, the Department of Agriculture and the Department of Land and Natural Resources shall collaborate to identify public lands as defined under Section 171-2, Hawaii Revised Statutes that should be designated important agricultural lands as defined in Section 205-42, Hawaii revised Statutes and shall prepare maps delineating those lands. In making the designations, the departments shall use the standards and criteria of Section 205-44, Hawaii Revised Statutes.

"Beginning January 1, 2010, after receipt of the maps of public lands identified as important agricultural lands, the Land Use Commission shall designate the public lands as important agricultural lands and adopt the maps of those public lands.

Designation of Important Agricultural Land and Reclassification to Other Land Use Districts by Declaratory Order of the Land Use Commission

"Chapter 205-44, Hawaii Revised Statutes, defines the standards and criteria for the identification of important agricultural lands. Lands identified as important agricultural lands need not meet every standard and criteria listed below. Rather, lands meeting any of the criteria below shall be given initial consideration; provided that the designation of important agricultural lands shall be made by weighing the standards and criteria with each other to meet the constitutionally mandated purposes in Article XI, Section 3, of the Hawaii Constitution and the objectives and policies for important

agricultural lands in sections 205-42 and 205-43 of the Hawaii Revised Statutes.

"Section 205-44 of the Hawaii Revised Statutes lists that the standards and criteria to designate land as important agricultural lands shall be as follows:

(1) Land currently used for agricultural production;

(2) Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops;

(3) Land identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the board of agriculture on January 28, 1977;

(4) Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production;

(5) Land with sufficient quantities of water to support viable agricultural production;

(6) Land whose designation as important agricultural lands is consistent with general, development, and community plans of the county;

(7) Land that contributes to maintaining a critical land mass important to agricultural operating productivity; and

(8) Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power.

"Senate Bill 2646 amends Chapter 205-44, Hawaii Revised Statutes to include a petition for a declaratory order submitted under Section 205-45, Hawaii Revised Statutes that seeks to both designate lands as important agricultural lands and reclassify lands in the agricultural district to the rural, conservation, or urban district, the lands shall be deemed qualified for designation as important agricultural land if the commission reasonably finds that the lands meet at least the criteria of "(5) Land with sufficient quantities of water to support viable agricultural production" and "(7) Land that contributes to maintaining a critical land mass important to agricultural operating productivity" of this section. Therefore, when using this declaratory incentive, the criteria for designating important agriculture lands is much stricter than designating important agricultural lands without the declaratory incentive where a petitioner can basically use only one criterion. The farmers felt that of the eight criteria in Chapter 205-44, Hawaii Revised Statutes, land with sufficient quantities of water and land that contributes to maintaining a critical land mass were the most important for agricultural productivity.

"Prior to the Land Use Commission considering a petition for a declaratory order to designate important agricultural land in combination with the reclassification of agricultural land to the rural, urban, or conservation district, the petitioner shall submit to the commission a certification issued by the Department of Agriculture as to the quality of the land for which designation as important agricultural land is being sought.

"The Land Use commission may include reasonable conditions in the declaratory order. The declaratory order is an incentive for landowners to designate their lands as important agricultural lands because under the Hawaii Administrative Rules Title 15, Chapter 15, Subchapter 14, Section 15-15-103, the Land Use Commission may, but shall not be required to, conduct a hearing on a petition for a declaratory order. However, a contested hearing can be requested. Any petitioner or party in interest who desires a hearing on a petition for a declaratory order shall set forth in detail in the request the reasons why the matters alleged in the petition, together with supporting affidavits or other written briefs or memoranda or legal authorities, will not permit the fair and expeditious disposition of the petition, and to the extent that the request for a hearing is dependent upon factual assertion, shall accompany the request by affidavit establishing those facts. Further, under Hawaii Administrative Rules Title 15, Chapter 15, Subchapter 7, Section 15-15-75, parties to proceedings to amend land use district boundaries may obtain judicial reviews thereof in the manner set forth in Section 91-14, Hawaii Revised Statutes.

"A farmer or landowner with lands qualifying under Section 205-44, Hawaii Revised Statutes may file with the commission a petition for declaratory order to designate the lands as important agricultural lands. The petition may be filed at any time in the designation process. Within this same petition for declaratory order, the petitioner may seek a reclassification of land in the agricultural district to the rural, urban, or conservation district, or a combination thereof; provided that:

(1) The land sought to be reclassified to the rural, urban, or conservation district is within the same county as the land sought to be designated as important agricultural lands;

(2) If the reclassification of the land is proposed to the urban district, that reclassification to urban is consistent with the relevant county general and community, development, or community development plans; and

(3) The total acreage of the land sought to be designated or reclassified in the petition complies with the following proportions:

(A) At least eighty-five per cent of the total acreage is sought to be designated as important agricultural land; and

(B) The remainder of the acreage is sought to be reclassified to the rural, urban, or conservation district.

"The Land Use Commission may grant declaratory orders pursuant to this section before the commission receives from any county a map delineating recommended important agricultural lands.

"A petitioner granted a declaratory order that designates important agricultural land, whether or not combined with the reclassification of land to the rural, urban, or conservation district, shall earn credits if the amount of land reclassified to the rural, urban, or conservation district is less than fifteen per cent of the total acreage of land subject to the order. The credits shall equal the difference between the following, rounded to the nearer tenth of an acre: (1) The number that is fifteen per cent of the total acreage of land subject to the order; less (2) The amount of the petitioner's land that is reclassified from the agricultural district to the rural, urban, or conservation district by the declaratory order.

"A petitioner with credits earned within a county may petition the Land Use Commission for a declaratory order to reclassify any of the petitioner's other land in the same county from the agricultural district to the rural, urban, or conservation district until the credits are exhausted or expired. The "petitioner's other land in the same county" means land owned by the petitioner that is in the same county as the land designated or reclassified under the petition. The commission may issue the declaratory order if it finds that the land is suitable for reclassification in accordance with Section 205-2, Hawaii Revised Statutes and that the reclassification is consistent with the relevant county general and community, development, or community development plans. The petitioner may petition for such reclassification until all of the petitioner's credits are exhausted. Any unexhausted credits shall expire and become unusable ten years after the granting of the declaratory order that designated the important agricultural land and, if applicable, reclassified land to the rural,

urban, or conservation district. A petitioner with unused and unexhausted credits shall not transfer the credits to another person.

"The Land Use Commission may grant declaratory orders pursuant to this section before the commission receives from any county a map delineating recommended important agricultural lands.

"Land designated as important agricultural land pursuant to a declaratory order that both designates land as important agricultural land and reclassifies land in the agricultural district to the rural, urban, or conservation district, or a combination thereof pursuant to this section shall be re-designated only with the prior authorization of the Legislature. The authorization shall be expressed by the adoption of a concurrent resolution approved by a two-thirds vote of each house of the Legislature voting separately. When making its decision, the Legislature shall consider the standards and criteria in Section 205-50, Hawaii Revised Statutes.

"A farmer or landowner with qualifying lands may also petition the Land Use Commission to remove the "important agricultural lands" designation from lands if a sufficient supply of water is no longer available to allow profitable farming of the land due to government actions, acts of God, or other causes beyond the farmer's or landowner's reasonable control. If the "important agricultural lands" were designated by a declaratory order in combination with the reclassification of land in the agricultural district to the rural, urban, or conservation district pursuant to Section 205-45 of the Hawaii Revised Statutes, the commission shall not remove the designation unless the legislature provides prior authorization by adoption of a concurrent resolution in accordance with Section 205-45, Hawaii Revised Statutes.

"In conclusion, Senate Bill 2646 is a historical bill that provides incentives for landowners to designate lands into important agricultural lands and incentives for farmers to have productive and profitable farm operations. In addition, it requires the Department of Agriculture and Department of Land and Natural Resources to jointly identify the state-owned lands that should be designated as "important agricultural lands."

"This legislation will begin the process of identifying and protecting our most important agricultural land. It is my hope that thousands of years from now, agricultural lands in Hawaii will be an important part of our economy, culture, and way of life. Thank you."

Representative Souki rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I have a possible conflict of interest. I'm a realtor that sells ag lands," and the Chair ruled "no conflict."

Representative Souki continued in support of the measure with reservations, stating:

"Thank you very much. And I was going to vote on this 100%, but because I heard it's stricter than the laws now, I'm going to vote with reservations. But my accolades to the Chairman and the Vice Chairman for a job well done. Thank you."

Representative Yamashita rose to speak in support of the measure, stating:

"Thank you very much, Mr. Speaker. In support with some brief comments. Mr. Speaker, this measure is critical on a personal note for many farmers that are in my district that I represent. The incentives are critical to the survival of their trade. Mr. Speaker, some of them own their lands and they are having a difficult time to continue to farm. These incentives, again, are very, very critical.

"Also, I think that we have to remember that preserving the land and creating a timeline that is a lot faster and quicker will help us survive this economic downturn, and I think that's a critical point."

Representative Ching rose in support of the measure and asked that the remarks of Representative Ito be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Bellati rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker, in opposition. I just have some brief comments. If I could have the words of the speaker from Hanalei adopted as my own. And I would also like to note one other concern. Again, there are some good provisions in this bill, but one thing that does concern me is the refundable tax credit that we have in this bill. You know, at a time when we're looking at a shrinking budget, a refundable tax credit that we don't know what the fiscal implications are, this bill could be just labeled 'corporate welfare' and that's what concerns me. Thank you, Mr. Speaker."

Representative Chong rose to speak in support of the measure, stating:

"I stand in strong support, Mr. Speaker. I'll just say a few quick words. I know there has been a lot said on the Floor as well as in a lot of emails, and this is a tough issue, as you know. It's been around for pretty much 30 years. When I first came into office here in 2005, we passed Act 183, and it had a lot of things in it. One of those things were incentives. It required incentives, in fact. And some of us had a concern because that incentive process ensured that we had at least one, if not a few more hurdles to go. Act 183 requires financial or other incentives, and it also requires county mapping. The concern was at the time that if we wait a lot longer, a lot of the prime ag land could be reclassified before then. In my mind, IAL is about securing the important, prime ag land.

"I've had many discussions, in fact, long discussions with the former Maui County Council Chairman, who is our colleague from Wailuku, who is not here today, who sat on the LESA Commission. And we had a very long discussion about how government can proceed with this and what was the original intent. In my mind, the intent is to protect the prime ag lands, a lot of it out of sugar and pineapple, which are of A and B soil, have water, but best of all, are graded and ready to go.

"The prime ag land is the same land that's also good to grow houses. And I think that hopefully what the Members will take into consideration is over the last 20 years there has been a reclassification of 40,000 acres of ag land. It hasn't been the C, D and E lands. It's been the A and B, because that is the easiest land to put houses on.

"And so while I've seen some emails and some concerns about how this is just for big land owners. Yes, the law requires us to provide incentives, and we have two. One is the 85-15, which is for landowners and farmers. We live in America. We have private property. We're not going to get around it. I think some people want to just force landowners to keep their land in ag forever. It's not their money. It's not their dime, but they can profess, and that's up to them. Urbanization will continue with or without this bill. This is not going to speed it up. This is rather to offer a carrot to landowners and say, if you designate into IAL, we will give you reclassification through a public process. I have here Subchapter 14 of the LUC. As the Representative from Waikele said, anybody can request for a public hearing, and then it goes into Subchapter 7, which is a contested process.

"Secondly, it is not in the law, and if you go through this process, it requires if you want to take it out of IAL, you need a 2/3rds vote through Concurrent Resolution of the House and the Senate. You know somebody willing to go down this road, good luck in trying to take it out. Because that is a million times more difficult than what the present law calls for which is 2/3 of the LUC.

"I think we have to work with all the stakeholders. We cannot just stick our finger and 'pooh pooh' landowners. We have to meet them at the table. We have to meet the farmers at the table, and try and come up with some agreement to try and get everybody to move forward on this. Again, redevelopment, reclassification is going to happen with or without this bill, whether we like it or not. And that's the sad part. This will help and provide a carrot so people do not.

"Also, there is the $7.5 million tax credit, which I think is going to be very good for farmers. That is an incentive for farmers. You can use it to take credits on your equipment, and on a lot of things in a farming operation. As well as added value, which is a big thing to make farming successful. But again, I just ask the Members to keep an open mind and try and support this bill because it will proceed with the designation of important ag land that will help make Hawaii sustainable. Thank you."

Representative Tokioka rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2646, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO IMPORTANT AGRICULTURAL LANDS," passed Final Reading by a vote of 29 ayes to 18 noes, with Representatives Belatti, Berg, Carroll, Evans, Green, Hanohano, Lee, Luke, McKelvey, Morita, Nishimoto, Saiki, Shimabukuro, Takai, Takamine, Takumi, Thielen and Wakai voting no, and with Representatives Bertram, Nakasone, Sonson and Waters being excused.

Conf. Com. Rep. No. 178-08 and H.B. No. 1412, HD 1, SD 1, CD 1:

Representative Caldwell moved that the report of the Committee be adopted and that H.B. No. 1412, HD 1, SD 1, CD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Bellati rose to speak in support of the measure with reservations, stating:

"Mr. Speaker I rise in support but with just a slight reservation on this bill. Mr. Speaker, the purpose of this bill is to enhance the ability of the Department of Taxation to upgrade its computer system and streamline related operation procedures. I don't think anyone can disagree that we should support our Department of Taxation to upgrade their computer systems.

"I guess my one concern here is that we're beginning to lay the foundation for the streamlined sales and use tax agreement, and I have to say that I don't really understand the mechanics of this streamlined sales and use tax agreement. What I have heard is that it's a internet sales tax. And I think that before we continue to go down that road of enacting this tax, and I'm sure we will have a long and vigorous debate when we come to that enabling legislation. So I guess that's just my slight reservation with this bill. Thank you, Mr. Speaker."

Representative Meyer rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. I have the same reservation that the previous speaker had and would like her words inserted in the Journal as if they were my own," and the Chair "so ordered." (By reference only.)

Representative Marumoto rose in support of the measure with reservations and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Marumoto's written remarks are as follows:

"My reservations on HB 1412 are essentially the same as those regarding SB 2829, Relating to Taxation. I am concerned about the cost of implementing the Streamlined Sales Tax Project under Act 3, Special Session Laws of Hawaii 2005, and related software upgrade. The cost in preparation of this program would be expensive and is best outlined in a letter from the Dept. of Taxation on SB 2829 SD 2 HD 2 CD 1, that I proffer to explain my reservations on this measure."

LINDA LINGLE
GOVERNOR

JAMES R. AIONA, JR.
LT. GOVERNOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
P.O. BOX 259
HONOLULU, HAWAII 96809

PHONE NO: (808) 587-1510
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KURT KAWAFUCHI
DIRECTOR OF TAXATION

SANDRA L. YAHIRO
DEPUTY DIRECTOR

April 25, 2008

VIA FACSIMILE

Senator Fukunaga, Chair
Senator Baker, Co-Chair
Senator Chun Oakland, Member
Senator Hooser, Member

Representative Yamashita, Co-Chair
Representative Marcus Oshiro, Co-Chair
Representative Karamatsu, Member
Representative Wakai, Member
Representative Marumoto, Member

RE: **CONFERENCE COMMITTEE COMMENTS**

BILL NUMBER: **SB 2829 SD 2 HD 2 Proposed CD 1**
TITLE: **RELATING TO TAXATION**

The Department understands that the Senate Conference Committee will propose a **CD 1** that incorporates the **SD 2,** adopting amendments to Hawaii tax laws to implement the streamlined sales and use tax (SSTP) agreement, if and when federal legislation mandating SST is enacted.

Until the federal legislation passes, the proposed CD 1 is premature because the State does not know what Hawaii law changes will be required by the federal law

Regardless of whether ITIMS is passed, the Department respectfully brings to this Committee's attention the following:

DOTAX Go-Live Date - Dependent on Federal Legislation

In order to implement SSTP on the federal effective date, the Department would need at least 12 months after the federal effective date to implement SST. The following resources are required:

- An appropriation of $10,825,729* (does not factor in inflation), and
- Establishment of 20 permanent full-time equivalent positions**.

If SST Federal Legislation Effective 1/1/2010 – DOTAX Go-Live Date 1/1/2010

In order to implement SSTP effective 1/1/2010, the Department must be given the following resources starting FY09 (starting 7/1/08):

- An appropriation of $10,825,729*, and
- Establishment of 20 permanent full-time equivalent positions**.

Conference Committee Comments
SB 2829 SD 2 HD 2
April 25, 2008
Page 2 of 2

If SST Federal Legislation Effective 1/1/2011 – DOTAX Go-Live Date 1/1/2011

In order to implement SSTP effective 1/1/2011, the Department must be given the following resources starting FY10 (starting 7/1/09):

- An appropriation of $10,825,729*, and
- Establishment of 20 permanent full-time equivalent positions**.

Without the above stated resources, the Department will not be able to implement SSTP.

* Please see worksheet below
** Include 2 positions to reinstate 2 DTCA positions being cut this session.

Table 1. SB2829 SD2 HD2 Cost to Administer Streamlined Sales Tax	
Description	**FY2009 Cost ($)**
Vendor Cost	6,337,440
One-time DOTAX Cost	923,734
Total One-time Costs	7,261,174
DOTAX Annual Recurring Cost	2,259,944
New FTE	18
Total Cost	9,521,118
DOTAX's Budget (Reinstatement)*	1,354,611
FTEs	2
Total Cost to Administer SST	**10,875,729**
Total FTEs	20
Note: *Assumes DOTAX existing budget and supplemental budget request are approved.	
Reinstatement of: (1) 4% discretionary fund: $1,026,979, (2) Reduce positions/funds - vacancies: $123,492, and (3) County surcharge production support: $233,000.	

If you have any questions or concerns regarding this legislation, please contact me at your convenience at 587-1513 or on my cell phone at 620-5393.

Sincerely,

KURT KAWAFUCHI
Director of Taxation

C: Senator Colleen Hanabusa, Senate President
Senator Donna Mercado Kim, Senate Vice President
Senator Brian Taniguchi, Chair, Senate Committee of Judiciary and Labor
Senator Fred Hemmings, Senate Minority Leader

Speaker Calvin Say, Speaker of the House
Representative Pono Chong, Vice Speaker
Representative Tommy Waters, Chair, House Committee of Judiciary
Representative Lynn Finnegan, Minority Leader

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and H.B. No. 1412, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TAXATION'S BENEFITS-FUNDED REVENUE-GENERATING COMPUTER INITIATIVES.," passed Final Reading by a vote of 47 ayes, with Representatives Bertram, Nakasone, Sonson and Waters being excused.

At 2:33 o'clock a.m., the Chair noted that the following bills passed Final Reading:

S.B. No. 1804, SD 2, HD 2, CD 1
S.B. No. 2083, SD 2, HD 1, CD 1
S.B. No. 2423, SD 2, HD 2, CD 1
S.B. No. 2915, SD 2, HD 1, CD 1
S.B. No. 2646, SD 2, HD 2, CD 1
H.B. No. 1412, HD 1, SD 1, CD 1

At 2:33 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 2:38 o'clock p.m.

At this time, the Chair stated:

"Members of the House, at this point it's 2:40, we've got two more pages to go along with the Yellow Action Sheets and the White Action Sheets. And at this time the Chair recognizes Representative Caldwell for the motion once more."

LATE INTRODUCTION

The following introduction was made to the members of the House:

Representative Caldwell introduced Professor Denise Antolini of the University of Hawaii Law School.

UNFINISHED BUSINESS

H.B. No. 2293, HD 1, SD 2, CD 2:

Representative Caldwell moved that H.B. No. 2293, HD 1, SD 2, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative M. Oshiro rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in strong support of this measure. I'll ask for permission to insert written comments. A few comments, Mr. Speaker. First of all thank you, and thanks to this body. This is a culmination of almost 13 years of work. When I first got elected in 1994, the concerns regarding the development of the Galbraith lands north of Wahiawa was one of the first items that I was put to task on by my predecessor, Senator Robert Bunda and Senator Hagino.

"At that time we were facing a situation where the Galbraith Trust was seeking to develop about 900 acres on prime ag land and develop a project that included a golf course, shopping mall, an industrial area, and about 3,100 homes. Even more offensive to the community was the fact that the golf course would actually encircle one of our most historic Hawaiian sites, Kukaniloko. But because of the wisdom of my forbearers and at the time was Governor Waihee, went into a process by which land exchange cut off any further development.

"Well, it's been 13 years since then. I'd like to thank, just on behalf of my community, which is the gateway to the country, so we can keep the country, country, to thank them. And again Mr. Speaker, thank you very much. And I'd also like to thank a Representative that will be leaving us later this day. Back in 1995, my first Session, he helped me shepherd through a Resolution, and that's the Representative from the town of Honokaa on the Big Island. It was through this Resolution that we were enabled to bring the parties together and begin the process of building larger community support for not only the Galbraith lands and Kukaniloko, Poamoho camp, but also Lake Wilson as a reservoir and a provider of irrigation waters for the North Shore farmers. Thank you, Mr. Speaker."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, please accept these written comments as additional comments in support of House Bill No. 2293, Conference Draft 1, RELATING TO AGRICULTURE.

"House Bill No. 2293, Conference Draft 1, RELATING TO AGRICULTURE. This bill would establish statutory mechanisms that will allow the Agribusiness Development Corporation to acquire specific agricultural lands located in Central Oahu that are owned by the successors of the Estate of George Galbraith (Galbraith Estate). $13,000,000.00 in General Obligation Bonds is provided for the purchase of these lands through the 2008 Supplemental Appropriations Act of 2008.

"Mr. Speaker, as you and many others know, for the past twelve years I have spoken at length on the need for the State to acquire the lands owned by the Galbraith Estate in Central Oahu. As I have stated previously, acquisition of the Galbraith Estate is essential for:

(1) The protection and preservation of our native Hawaiian culture;
(2) The viability of our agricultural industry and continued efforts to make our State more self-sustainable; and
(3) The preservation of the health, welfare and safety of the people of Central and North Shore Oahu.

"From a public policy standpoint, the acquisition of the Galbraith Estate, which this bill will facilitate, will greatly enhance Wahiawa's role as a "gateway" between town and country. As noted in the Central Oahu Sustainable Communities Plan of February 2002, the City and County of Honolulu's Department of Planning and Permitting asserted the following based on the views of the communities in the area:

"Wahiawa has historically been the boundary between the urban growth of Central Oahu and the broad vistas of the agricultural and rural areas of the North Shore. This role should continue with Lake Wilson and Kaukonahua marking the northernmost extent of urban development in Central Oahu. Appropriate gateway entry features should be established on Kamehameha Highway at both the northern and southern entrances to Wahiawa."

"The acquisition of the Galbraith Lands is a major step that will ensure that these fertile lands will always remain for agriculture, and act as the border between the urban and rural areas of Oahu. In my view, there is no other action this Legislature can take that is more important to ensure that the "country" remains "country".

I. Background

"The Estate was established pursuant to the will of George Galbraith, which was admitted to probate on March 25, 1905. Due to considerable ambiguity on the intention and validity of the will, the will was litigated extensively. In Fitchie v. Brown, 18, Hawaii 52 (November 1, 1906), the Hawaii Supreme Court held that the will created a trust to accumulate unapplied income; that the lives being listed in the will were the named annuitants; and that the trust estate would be distributed twenty-one years after the death of the last surviving annuitant listed in the will. The Supreme Court of the United States upheld this interpretation in 211 U.S. 321 (1908).

"Subsequent litigation established that the heirs of life annuities took their shares of the annuities by right of representation; that annuities could be sold in fee; and that the final holders of the annuities, at the time of distribution, would take a per capita share of the estate. Hawaiian Trust v. Galbraith, 22 Hawaii 78 (1914); Hawaiian Trust Co. v. Galbraith, 24 Hawaii 174 (1919).

"On April 26, 1986, Arthur Cathcart, the last named annuitant in the George Galbraith will, died. Pursuant to the terms of the will, the Estate was to terminate on April 26, 2007. However, because of the numerous interpretations of the will and the passage of time, a large number of minuscule life annuities were created precipitating considerable difficulty in determining who some of the annuitants are, and how the corpus would be distributed among the beneficiaries.

"Accordingly, although the termination date of the Estate has passed, the trustees have not yet sold the landholdings while these and other legal issues are addressed. Furthermore, Chapter 517, Hawaii Revised Statutes, authorizes the trustees of an estate or trust, with the approval of the court, to sell the real property of the state or trust beyond the expiration date of the estate or trust.

"The corpus of the Galbraith Estate currently includes twenty individual and contiguous parcels having a combined area of approximately 2,000 acres situated north of Wahiawa – a significant assemblage of some of the most fertile agricultural land in the State. These lands were historically leased to pineapple growers on a long-term basis and have not been available for sale for more than 100 years. In December of 2003, the Del Monte Corporation, unexpectedly decided to consolidate its Oahu pineapple operations to the Kunia Plantation lands, and quit its lease with the Galbraith Estate. This would later have the additional affect of jeopardizing the homes of over 60 families and 300 residents of Poamoho Camp. Fortunately, through strong statewide community support, ILWU-Union advocacy, local political will, and the assistance of both First Hawaiian Bank and Peter Savio, the residents were granted a reprieve and chance to remain and possibly own their present homes.

"Since 2003, however, the Del Monte pineapple fields have been plowed under and the lands have remained fallow and California grass and other scrubs and small trees cover the landscape. Recently some North Shore farmers have commented that maintenance efforts need to be improved or the cost to remove large scrubs and trees will be expensive.

II. Lake Wilson Dam

"The Dam, originally constructed in 1905 and 1906, is owned by the Wahiawa Water Company, Inc., a subsidiary of Dole Foods Company, Inc. (formerly known as Castle and Cooke, Inc.) The land beneath the Dam and Lake Wilson are owned by the Galbraith Trust and Dole Foods Company, Inc. and is split down the middle following the old stream bed, such that the Galbraith Trust owns the eastern half, and the western half is owned by Dole Foods Company, Inc. About 140 acres of Galbraith Trust lands are lands beneath Lake Wilson, at the dam site, and gulch lands adjacent to Lake Wilson and leased to Dole Foods Company. The Galbraith Trust may also be receiving rent from the Dole Foods Company, for its use of water based upon the proportional ownership and share of the lands under Lake Wilson. Hence, while the Galbraith Estate intends to sell that land upon the termination of the Galbraith Estate, Lake Wilson remains an agricultural irrigation asset of the other half-owner of the land under the Lake – Dole Foods Company, Inc.

"Pursuant to House Concurrent Resolution No. 88, House Draft 2, Senate Draft 1, adopted by the 18th Legislature, Regular Session of 1995, the Wahiawa Reservoir Task Force (Task Force) was created to study the present and potential uses of the Wahiawa Reservoir, also known as Lake Wilson, including recreational uses, fishing and boating, wastewater storage and irrigation reuse, irrigation, and flood control. The Task Force was also directed to specifically examine the conclusions and recommendations made in the report entitled Dam Safety Inspection, Wahiawa Dam, Oahu, Hawaii (Phase I Report) dated January 1995. The inspection was conducted in accordance with the National Program of Inspection of Dams. Furthermore, the Task Force was directed to examine and make recommendations on the party or parties who will be ultimately responsible for the operation, maintenance, and liability of the dam.

"According to the American Society of Civil Engineers, the earthen Wahiawa dam on Kaukonahua Stream that creates Lake Wilson is classified "high hazard", not because of structural or functional deficiencies, but because of its location above the Waialua and Haleiwa communities. A failure of the Wahiawa dam could cause massive loss of life, injuries, and property damage to downstream areas throughout the communities of Waialua and Haleiwa.

"In its report to the 1996 Legislature, the Task Force provided cost estimates on the repairs needed at Wilson Dam. The Task Force estimated that the cost of replacing Wilson Dam would cost between $30 million to $40 million in 1995 dollars. Also, citing studies by R.M. Towill Corporation, the Task Force estimated the cost of major repairs to be $13.3 million in 1995 dollars.

"The Towill Study included the following comments:

(1) Replacement would be impractical because of site constraints;
(2) Cost to implement report (Dam Safety Inspections, Wahiawa Dam, Oahu, Hawaii for DLNR, by Ernest K. Hirata & Assoc., Oct 1994) – recommendations would be less than $5 million; and
(3) $11 million ($13.3 million in 1995 dollars) upgrade is substantial, pretty much good as new condition.

"While the State has had discussions with the Galbraith Estate and Dole Foods Company, Inc. on the possible "gifting" of the landholdings under the Lake and Dam, the imminent termination of the Galbraith Estate and the fiduciary responsibility of the trustees to obtain the maximum return for beneficiaries have greatly

compounded the complexity of the negotiations between the State, Galbraith Estate, and Dole Foods Company, Inc. Additionally, the tragic March 14, 2006, Kaloko Dam breach and various lawsuits had heightened the liability concerns of both private and government owned and controlled dams and reservoirs. In any case, it cannot be overstated that at present, the State of Hawaii bears some responsibility for the safety of the community and must ensure that the current owners and operators of the Dam maintain the integrity of the structure to the highest know standards. Likewise, the State of Hawaii, through the current Administration should work with area residents, farmers, landowners, recreational users, and State, County, and Federal officials to insure that the multiple uses are enhanced and supported. But, let us also not forget that surface water and the means to store and transport it is an essential component of supporting the preservation and use of agricultural lands north of Wahiawa and on the North Shore. If we are to make meaningful and long-term commitment to the protection of these lands and their ability to produce crops for local use and consumption, then the Lake Wilson Dam and Lake Wilson are great investments of any public monies expended.

III. Lake Wilson

"The Wahiawa Reservoir Task Force also evaluated and made recommendations on the current use and development of a freshwater fishery at Lake Wilson for public fishing, boating, and recreation. As many know, since 1957, the Department of Land and Natural Resources (DLNR) has managed Lake Wilson through an operative agreement with Castle & Cooke, Inc. as the Wahiawa Public Fishing Area. Lake Wilson is the largest and most heavily fished freshwater body in the State and is open to the public about 360 days a year. Freshwater boaters have over 350 acres to fish and shoreline anglers have several miles to cast their rod and reel or dunk their fishing pole. Favored species include, tucunare (peacock bass), largemouth bass, smallmouth bass, shad, blue gill, Chinese catfish, channel catfish, carp, and tilapia. Lake Wilson is a catch and release fishing area.

"In 1965, the State of Hawaii received the 70 acres of park land from the U.S. Army and in 1968, a boat ramp and parking lot was constructed by DLNR. Only about ½ or 30 acres are developable, as steep banks alongside Lake Wilson make for hazardous conditions. In 1978, the caretaker's residence, restrooms, additional parking, picnic tables, and landscaping were completed. In 1975, the Wahiawa Fresh Water Park Master Plan, DLNR, Division of State Parks, Koebig and Koebig, published and set forth several plans to develop footpaths, jogging/bike paths, picnic areas, overnight camp grounds, fishing piers, open recreation areas, and pavilion-comfort stations. According to the Report on a Request to Establish a Task Force to Study the Feasibility of Establishing a Freshwater Fishery at the Wahiawa Reservoir, February 2003, to make the minimal improvements described in the Master Plan would cost between $3.5 and $5.7 million.

"To this day, the only improvement made pursuant to the Master Plan was the 1999 construction of the lighted jogging and biking path. However, the community of Wahiawa has maintained its desire to develop greater use of this resource and remains open to public-private partnerships from both local and national outdoors and scouting organizations.

III. Kukaniloko

"Native Hawaiians have significant interest in the lands owned by the Galbraith Estate which go beyond the agricultural value of the land. Their interest encompasses their significant cultural values. The spiritual site known as Kukaniloko is located in the area. The overall significance of this site, which extends beyond the immediate site of Kukaniloko, commands one of the highest protocols and therefore is referred to as a wahi kapu (sacred and kapu space). Native Hawaiian practitioners continue to access Kukaniloko, serving as a living facet of Native Hawaiian livelihood and perpetuation.

"Kukaniloko Birthstones is one of the most significant cultural sites on Oahu and in Hawaii. Recognized as a birthing site for the alii, this site is associated with the birth of several important Hawaiian chiefs. One's birth at Kukaniloko legitimized their high ranking and established their right to be leaders of society. Consequently, chiefs with ties to the Oahu lineage sought to have their children born at Kukaniloko.

"After birth, the child was taken to nearby Hoolonopahu Heiau where the umbilical cord was cut. The only other birthing site of high ranking alii recorded in traditional history is located at Holoholoku, Wailua, Kauai.

"The significance of Kukaniloko is recorded as follows on the nomination form for the National Register of Historic Places:

"Along with Holoholoku on Kauai, Kukaniloko is one of only two places specifically designated for the birth of high ranking children. Kukaniloko is particularly celebrated in recorded traditions as it is repeatedly called upon in commemorating the life-histories of important paramounts in the chiefly lines of Oahu. In ancient Hawaii, genealogical descent from the gods gave chiefs their lofty status and hence, established their right to be leaders of society. Birth within the ritual setting of Kukaniloko served to legitimize this genealogical descent and their godly status was further enhanced if the rituals and prohibitions performed at birth were completed successfully. The Oahu and Kauai chiefly lineages were traditionally known for their antiquity and purity and it was said that chiefs from Hawaii and Maui often sought greater prestige for their lineages by marrying those who had strong ancestral ties to exalted lineages. Some have speculated that Kukaniloko on Oahu and Holoholoku on Kauai helped maintain the coveted purity of these genealogical lines and, as such, the significance of Kukaniloko and the events that took place there reach far beyond the island of Oahu."

"In most traditions, the Kukaniloko birthing site is said to have been established by Nanakaoko at the birth of his son Kapawa. Kamakau provides a date of 1100 A.D. for Kukaniloko when he records the birth of Kalanimanuia. However, other dating by genealogical lines suggests that Kapawa dates to the 1300s and Kalanimanuia to the 1600s. Fornander associates Kapawa with the traditions of Paao who is said to have brought a chief named Pili Kaaiea whom he installed as ruler of Hawaii Island after deposing Kapawa. Using the genealogical lines of Hawaii Island, this would place the establishment of Kukaniloko in the 1400s.

"Numerous chiefs and chiefesses are believed to have been born at Kukaniloko into the 17th century. Mailikukahi and Kakuhihewa were highly celebrated Oahu paramount chiefs whose reigns were marked by peace and great prosperity. In discussing Kukaniloko, Fornander notes that "so highly were those dignities and privileges prized, even in later times, when the ancient structure and surroundings had fallen in decay, that Kamehameha I, in 1797, previous to the birth of his son and successor, Liholiho, Kamehameha II, made every arrangement to have the accouchement take place at Kukaniloko."

"Associated with Kukaniloko was Hoolonopahu Heiau. The sacred drums that announced the birth of an alii were kept at this heiau but nothing remained of the heiau in the 1920s as a result of the pineapple cultivation. Several oral informants suggest that several stones from the heiau have been incorporated into the Kukaniloko complex.

"The name Kukaniloko is translated as "the sound or resonance rises from within". Several sources refer to Kukaniloko as the name of a chief or chiefess. Fornander says a chiefess bore the name and from her line were born powerful alii. Kukaniloko is also recorded as an important puuhonua (place of refuge) on Oahu.

"In recognition of the site's cultural and historical significance, Kukaniloko was placed on the National Register of Historic Places (Site No. 218) in 1972 and the Hawaii Register of Historic Places in 1994. The site remains significant to the Hawaiian community today with a growing need to nurture a respect for the site.

"Because of the cultural and historical significance of the Kukaniloko Birthstones site, the State acquired a 5-acre parcel in January 1992. This parcel includes the 0.5-acre Kukaniloko Birthstones site, a 4.5-acre buffer around the complex, and a road easement from Kamehameha Highway. The State-owned property is identified by TMK:7-1-01:4. The 0.5-acre historical site is marked by a grove of eucalyptus and coconut trees surrounded by an expanse of pineapple fields. Within the 0.5-acre area is a concentration of about 180 stones, many having surface depressions and fluted edges with a coating of red dirt. According to the Department of Land and Natural Resources, Division of State Parks, these surfaces are probably a combination of natural weathering and human craftsmanship over many generations.

"Another aspect of the Kukaniloko Birthstones site, is the unobstructed view of the Waianae Range and the prominent peaks such as Kolekole and Kaala. From Kukanioko the setting of the sun at various peaks, such as Puu Hapapa, Puu Kumakalii, and Puu Pane, and Kalena and Maili, and Mokuleia, can be observed and according to some historians used as a calendar. Some of the stones at the Kukaniloko also may have been used as navigational tools for ancient voyagers, whose voyages may have been charted by the Waianae Range peaks and starlit sky. I even recall several years ago, attending a pre-dawn observation of the sun rising and its first light falling on several stones at Kukaniloko and the interesting shadows and images that were cast. The image of a petroglyph illuminated by the morning sun still gives me goose bumps.

"The site was originally set aside and fenced by Mr. W. Goodale of the Wahiawa Agricultural Company in 1909. The Daughters of Hawaii began maintaining the site in 1918 but did not finalize an agreement with the Galbraith Estate until 1925. In 1951, the site reverted back to the Galbraith Estate and the Hawaiian Civic Club of Wahiawa became active in the maintenance of the site. While the Division of State Parks was given jurisdiction of the site for management and maintenance in 1992, the community continues to provide assistance with site maintenance, management, and interpretation. In 1997, State Parks entered into a curatorship agreement with the Hawaiian Civic Club of Wahiawa and the Friends of Kukaniloko. These organizations are recognized as the curators of Kukaniloko Birthstones State Monument and provide guided interpretive tours to those interested in learning more about this very special and important state monument.

"Mr. Speaker, we are at a place in history where all of the stars are aligned. The last time these lands were available for acquisition:

- People rode horses to get to work;
- Gas lamps instead of electric lights illuminated the night; and
- Theodore Roosevelt ran for the Presidency under the Bull Moose Party.

"When the last named descendent in the will of George Galbraith passed away in 1986, everyone knew that the Galbraith Estate would be dissolved twenty-one years later and the fate of the lands was uncertain. The community knew, however, that land speculators and investors were eying the lands for possible up-zoning and development. There was also talk circulating about the fiduciary responsibilities of the Trustees, the Hawaiian Trust Company, aka, Pacific Century Trust Company, and how they may be compelled to seek the highest and best use of the lands to maximize the trust corpus and proceeds to beneficiaries.

"In 1993, the community of Wahiawa faced the possibility of an 800-acre development called, "Wahiawa Lands Development" that would urbanize 800 acres of pineapple cultivation. There were to be built about 3,100 homes and an increase in the population of about 8,100 by year 2010. An 18-hole golf course, commercial, light industrial, and business center would also be developed. As one can imagine, a majority of the community opposed the development and found fault with the lack of detail for building design, energy efficiency, and impact upon water quality in Lake Wilson, and scenic views of the Waianae and Ko'olau Mountain Ranges. There were a lot of concerns raised regarding the impact such a development would have upon Kukaniloko and the integrity of the site. Many were concerned about the overall impact it would have upon the rural communities of Wahiawa and Whitmore Village. The Wahiawa Neighborhood Board at its March 15, 1993 meeting voted to oppose the project.

"For that reason, the State tried desperately to preserve these lands. Yet the anticipated cost of acquisition served to hamper these efforts. To put these costs into perspective, the total property assessed value of the Galbraith Estate landholdings in Central Oahu, as determined by the City and County of Honolulu, was over $100 million for taxable year 2006.

"As such, during 1993, the Legislature worked to facilitate a land exchange to preserve most of the Galbraith lands for agricultural uses. Credit should be given to my predecessor in the State House, Senator Robert Bunda, then Representative Robert Bunda, who initiated the preservation of the Galbraith Lands through a letter to then Governor John Waihee, regarding the possible exchange involving state owned lands at Kapolei for Galbraith lands, north of Wahiawa. In March of 1994, it was approved by the Board of Land and Natural Resources (BLNR) to hire appraisers and begin negotiations with the Galbraith Estate to consummate a land exchange of about 572 acres of State land in Kapolei for about 2,200 acres of Galbraith lands. In concert with this action, the legislature, led by then Representative Robert Bunda and Senator Gerald Hagino, obtained passage and enactment of Act 177, SLH, 1994, wherein approving of a land exchange between the State of Hawaii and the Galbraith Estate. It had a repeal date of June 30, 1996.

"When I got elected in 1994, one of the first things I did was review all the prior legislative proposals and Acts affecting Wahiawa and the surrounding areas. Hence, it was brought to my attention that Act 177, SLH, 1994, needed to be amended and working with Senator Bunda, the Legislature passed SB 1650, but it was vetoed by then Governor Benjamin Cayetano, because the Environmental Protection Agency (EPA), on December 16, 1994, created the Del Monte Superfund Site, which may have made the State liable for any clean-up cost as the owner of lands from the land exchange. Needless to say, the community was upset and disappointed by Governor Cayetano's veto as the locus of the EPA's concern was the Kunia Camp Well at the Kunia Camp, 2 to 3 miles down slope of the Galbraith lands. Still, the community did not give up and we never lost hope and remained vigilant to protect the lands from any development.

"In 1996, after much consultation and discussion with then, Attorney General Margery Bronster, the Legislature passed HB 4074, HD1, SD1, CD1 and on June 18, 1996, Governor Cayetano signed into law, Act 255, SLH 1996, which essentially allowed the Department of Land and Natural Resources to enter into negotiations for a land exchange with the Galbraith Trust. To address the concerns of the attorney general, it contained a clear prohibition against any exchange if the private lands are part of any EPA Superfund Site. Act 255, SLH 1996, however, did not have a repeal date and for the remainder of the Cayetano Administration, through January of 2004, I attended numerous meetings and workshops on remedial investigations, feasibility studies, and the Record of Decision Process, and in time, learned much about the National Priorities List (NPL), the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and the Superfund Amendments and Reauthorized Act of 1986 and similar Hawaii law. Discussion with the EPA and State Department of Health officials centered around possible "carve-out" of the Galbraith parcels as the Kunia Well and Camp was the focal point for the EPA.

"Finally, in January 2003, at the beginning of the Lingle-Aiona Administration, the EPA removed the Galbraith Lands from the National Priorities List, thereby clearing the way for an exchange in accordance with Act 255, SLH 1996. As such, during the 2004 Session, Representatives Magaoay, Lee, and myself co-introduced HB 1793, directing the Department of Land and Natural Resources and other appropriate state agencies to enter into negotiations with the Galbraith Trust for a land exchange. On April 26, 2004, HB 1793, HD 2, SD1, CD1, passed with 24 "ayes" in the Senate and with 49 "ayes" in House, but was vetoed by Governor Lingle on July 13, 2004. Her veto message read in pertinent part:

> [T]his bill, directing the Board of Land and Natural Resources and other appropriate state agencies to acquire specified lands by means of exchange of public lands, appears to be the kind of special law prohibited under Section 5 of Article XI.

"The community of Wahiawa and the North Shore was astounded and upset by the Governor's decision and vague veto explanation. What made it even worse was the lack of any testimony by the Attorney General alerting anyone to the potential legal concern of the Governor. I simply thought it was an incorrect reading and application of the Hawaii Constitution and a great departure from prior Attorney General opinions' regarding the same lands since 1993 and through two previous attorney generals and their respective staff opinions. The recent 2008 Special Session and Hawaii Superferry legislation and current law suit regarding the same issue causes one to wonder whether the Governor really appreciated or understood the basis for her veto.

"In December 2007, just 5 months ago, a deal to purchase the Galbraith lands by a private developer fell through. According to a Honolulu Advertiser article, entitled "Sale of 2,100 acres on Oahu falls through", December 19, 2007, a buyer identified as "Waialua 86" which outbid several investment groups in January 2007, and Bank of Hawaii cancelled negotiations for the sale. According to the article, "Waialua 86" managers include Mainland investor David Chang, who heads CCL, Holdings (USA) Ltd. and that CCL is part of a family of companies that includes shipping interest in Hong Kong and a Southern California residential developer. For obvious reasons, it did not appear that "Waialua 86" was interested in keeping the lands in its present classification and for strictly agricultural uses. The community of Wahiawa was also concerned about the possibility of 5 acre parcels and "fake farms" and possible expansion and development of Poamoho Estate type subdivision as seen mid-way down Kaukonahua Road leading into Waialua.

"In early April as this bill was being considered, I was informed by the Bank of Hawaii aka Pacific Century Trust that an "unsolicited prospective purchaser" had entered into a purchase agreement, and that it could not provide any details, citing confidentiality provisions and practices. I understood and appreciated that, but was still deeply concerned since prior representations by the Bank of Hawaii gave me the impression that a (1) public bid price would be forth coming in March, (2) local realtor or broker would be retained to list the property, and (3) interested parties, including the State or a public-private partnership would be viewed as potential purchasers. This did not bode well for the community of Wahiawa and the North Shore.

"Interestingly, on Thursday, April 23, 2008, I attended a meeting with Senator Bunda to meet Dennis Blain, Owner/General Partner, Nokaoi Development, LLC, the prospective purchaser. In brief, the usual introductions were made, and we had a very cordial and open discussion. I was very frank with Dennis Blain and told him that the community of Wahiawa would oppose any development and petition for up-zoning to Urban Classification and that even five-acre farm lots or "fake farms" would face stiff opposition. Similar comments and insights into the pulse of the North Shore and Wahiawa community was voiced by Senator Bunda. I also told him that we were working with such people as the State Department of Agriculture, Trust for Public Lands, Hawaii Farm Bureau, U.S. Army, and the Office of Hawaiian Affairs. In all, it appeared that Dennis Blain appreciated our frank discussion as he emphasized that he did not want to "waste time" on a project that would face steep opposition. After about one-half hour, we parted company, acknowledging our respective roles and interest and constituencies. Later, I would be surprised to learn that an email-letter to Senator Bunda and myself, and copied to Governor Lingle, dated April 28, 2008, purporting to summarize our meeting would find itself on Ian Lind's Blog. Dennis Blain's final paragraph is similarly strange as he states, "I am willing to accept a reduced price of $68,000,000 or $32,300 per acre. My company is willing to partner in the transaction giving the State a substantial profit and some key lands. This would allow the State of Hawaii [to] acquire the rights and lands surrounding Lake Wilson and the Lake Wilson Dam. Thank you again for your time and consideration. Please advise me, at your earliest convenience, on how you would like to proceed." I did not respond, believing that it best left to folks like Lea Hong and the Department of Agriculture or the Agribusiness Development Corporation.

"In the final days of Conference negotiations, I received great encouragement from Senator Jill Tokuda, Chair, Senate Agriculture and Hawaii Affairs Committee, who told me that House Bill 2293 would be the vehicle for the proposal and that our respective staffs would draft the proposed Conference Draft. I also greatly appreciated the assistance and support and involvement of Lea Hong, Trust for Pubic Lands, with the language. It should be known that had it not been for the insistence and zealous advocacy of Lea Hong, this bill might have never been passed. Indeed, let the record reflect that she is the "point" of the spear and has done much of the leg work in putting together the public-private partnership among both several agencies and governmental units that include, the U.S. Army, Col. Howard Killian; Office of Hawaiian Affairs, Johnathan Schuler; and State of Hawaii Department of Agriculture, Director Sandra Kunimoto.

"Similar to the approaches taken for the purchase of land in Pupukea-Pamaluu and Waimea Valley, I always envisioned working with the Trust for Public Land, the United States Army, the United States Navy, the Office of Hawaiian Affairs, the City and County of Honolulu, as well as our Congressional Delegation, to put forth a reasonable bid for the purchase of the Galbraith Estate. Just last year, the parties, led by Trust for Public Land, offered $8 million for the property, including the most controversial parcel – the land under Lake Wilson and Wilson Dam – to the successors of the Galbraith Estate. While this bid demonstrated the commitment of all of these organizations, the bid was rejected.

"After numerous discussions with the parties, it was felt that the successor to the Galbraith Estate was actually very receptive to the approach taken by TPL and the other parties. The only thing that was missing was a demonstration of the State's commitment to this purchase. Mr. Speaker, we are now in a position to make that commitment.

"In closing, let me thank you Mr. Speaker for your support of myself and the community of Wahiawa, Whitmore Village, and the North Shore. This is hallmark legislation and should it be enacted into law, generations of families in and around Wahiawa and the North Shore of Oahu will reap the benefits of our bold actions this day. While I recognize that these are austere times, I also understand that we have before us a once in a lifetime opportunity to protect and preserve 2,100 acres of some of the best agricultural lands in the State, all situated in a large, contiguous parcel, perhaps at a fraction of what the lands might be worth.

"Rather than allowing the lands to be purchased by gentleman farmers, the public purpose is best served by retaining as much of this land as possible as open space for farming and growing of food for our table or fuel for our cars and lights. The cultural value and sacredness of this land at Kukaniloko can be attested to by the Office of Hawaiian Affairs and the Friends of Kukaniloko. Indeed, my dear friend Tom Lenchanko, may now have the ability to develop the site into a place of educating the future generations who will reside in

these fertile plains. Likewise, the potential of diversifying our recreational and tourist related attractions will be achieved by the preservation and maintenance of Lake Wilson and the public fishery that it is. Control of Lake Wilson and the Lake Wilson Dam will not only insure the continued retention and release of irrigation waters to our North Shore farmers, but enable them to pay lower water rates and lease rents, while we increase our self-sufficiency and enhance food security.

"This bill will provide the State with the statutory authority to enter into a public-private partnership to purchase the property, and with a little bit of luck, we can make this purchase of the lands owned by the Galbraith Estate a reality. Mr. Speaker, there is a time for all things under heaven and all the stars are in alignment. It is my sincere hope that we can make this a reality.

"For these reasons, I respectfully urge my colleagues to support this measure."

Representative Magoay rose to speak in support of the measure, stating:

"Thank you Mr. Speaker. On the same measure, in strong support. As the other speaker just mentioned, we had to find a way of doing something because since I came in 2000, I've been pushing for us to acquire Lake Wilson. Lake Wilson right now is the feeder for the North Shore, even though it is R2 water, but it feeds the waterway to Kamehameha, and also the Dole Plantation. With that water it helps to irrigate our seed corn and also papaya.

"And finally we have this bill that we have in front of us that hopefully we can have this land in perpetuity in agriculture because we have a lot of things that are happening now in ag in our area, especially with the military coming on board more. And we are also working with the Trust for Public Land so that we can do more in saving this land and hopefully that dream that my colleague just mentioned, that is a partnership building the Wahiawa and Waialua community, because basically Waialua encompasses Wahiawa, but we are working together as one. Thank you."

Representative Lee rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Lee's written remarks are as follows:

"Mr. Speaker, I rise in support of the measure, which will preserve the Galbraith Trust lands and enable the purchase to occur in the future.

"As a resident of Mililani, I feel strongly that the Galbraith lands must remain open because they are the gateway to the North Shore and the magnificent vistas that are enjoyed daily by both locals and tourists alike.

"In addition, the near proximity of the Kukaniloko Birthstones State Monument makes this one of the most important cultural sites in our State.

"Buying the Galbraith lands will assure these prime agricultural lands will continue to be in food production at a time when sustainability is a major concern for our people.

"In addition, the open space will not curtail the Army's ability to train at Schofield. The economic benefit of the troop presence should not be underestimated in these times of declining revenues.

"The purchase of Galbraith is something that should be applauded statewide as it is for the future well-being of our people that this is happening today. I urge the Members' support."

Representative Berg rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Meyer rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. I'm in opposition to this measure. As I have repeated, I guess ad nauseam, I'm concerned about the liability of Lake Wilson and the dam there. Should that dam give out, the State would be liable for all the damages done downstream. I'm also kind of concerned about this amendment. It says that should this not arrive at an agreement to acquire the property within a certain time, that in a reasonable amount of time as determined by the Department of Land and Natural Resources, the Department of Land and Natural Resources shall exercise its power of eminent domain to acquire the property. For the purposes of this Act, condemnation of the property shall not be subject to legislative disapproval, provided that the cost of acquiring the lands described in this Act does not exceed the amount of funds appropriated or authorized by Section 10 and appropriated by the supplemental appropriation this year, which was $13 million. We often talk about not binding a future Legislature, but this does exactly that.

"The $13 million is being appropriated this year, and there is no agreement on a sales price at this point in time. The Agribusiness Development Corporation (ADC) did not feel that they were the right party to negotiate, but they are in here. It's like we are passing a bill where nothing's happening. We are appropriating money. We're not sure whether it's enough or we haven't had an appraisal, there are people on this Floor that weren't in agreement with the bill in Kahuku because it didn't have enough detail and they didn't like the $250,000 in there. Here we have a bill that has a lot of things up in the air and we've appropriated $13 million, which we could have found a lot of other uses for. So those are my strong reservations. Thank you."

Representative M. Oshiro rose to respond, stating:

"Mr. Speaker, just a short rebuttal. First of all, the reason why the Agribusiness Development Corporation, which is embedded in the Department of Agriculture, is noted as the lead Department is pursuant to an understanding with Director Kunimoto, in consultation with Lea Hong from the Trust for Public Land. I should also mention that Lea Hong, Trust for Public Land, is probably the key to this entire endeavor. She will be working with other private parties such as Colonel Killian at Schofield Barracks to look at some similarity. She's also working with the Office of Hawaiian Affairs, who have also pledged their commitment to this endeavor. I just want to clarify that there are interested parties to move this together. Thank you."

Representative Caldwell rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, a brief potential conflict disclosure. My wife is Vice Chair of Bank of Hawaii, and the bank is the trustee for the Galbraith Trust. Also a number of my partners are beneficiaries of Galbraith," and the Chair ruled "no conflict."

Representative Meyer rose, stating:

"I'm sorry Mr. Speaker, I think I misspoke, I am voting no on this, in my remarks I said I have reservations."

The motion was put to vote by the Chair and carried, and H.B. No. 2293, HD 1, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURE," passed Final Reading by a vote of 46 ayes to 2 noes, with Representatives Finnegan and Meyer voting no, and with Representatives Bertram, Nakasone and Sonson being excused.

H.B. No. 2872, SD 2, CD 2:

Representative Caldwell moved that H.B. No. 2872, SD 2, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Sagum rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'd like to disclose a potential conflict. The company that I am a Vice President of, we have a cabin up at Koke'e," and the Chair ruled "no conflict."

Representative Sagum continued in support of the measure, stating:

"Thank you Mr. Speaker, I stand in support of this bill. This bill establishes a one-time process for the leasing of public lands for recreation, residences, and use in State parks or State forest reserve areas within a county with a population of less than 100,000. This bill also creates a Koke'e State Park Advisory Council.

"In the past, the Department of Land and Natural Resources granted recreation resident use leases on public lands in State parks and forest reserves for terms not exceeding 20 years. During the lease period the permittees and lessees made major improvements to their lots. For many of them, the leases have recently expired and they now have month-to-month revocable permits. If they are not issued new leases, the improvements that they've made and paid for over the years will revert to the State. There are legal issues relating to that point.

"The bill is intended to provide a limited, and let me emphasize, limited opportunity for such permittees or lessees to renew their leases while protecting the State's interests. The bill gives the lessees and permittees a one time only opportunity to directly negotiate the renewal of those leases. It is emphasized that the lease rents must be based on market rates for land and buildings. So this will be a significant improvement to the State, as a revenue generation in Koke'e. If the permittees, lessees, and Board of Land and Natural Resources cannot agree to these terms, then the Board is required to put the lease up for auction.

"The bill also creates a Koke'e State Park Advisory Council comprised of community members that are appointed by the Governor, House Speaker, and Senate President, and includes 4 ex-officio non-voting members. The council is to be responsible for reviewing and assisting in the updating and revising of the Koke'e State Park Master Plan, advising and assisting in the management of the Koke'e recreational cabin leases, enhancing community education and cultural awareness of Koke'e State Park, participating in the protection and preservation of the natural and cultural resources of the park, and advising and assisting in the overall implementation of the Master Plan. The Council will bring a community perspective to the property use and maximum association of the Koke'e State Park.

"In closing I would like to reiterate my support for both parts of HB 2872, SD 2, CD 2. I'd like to thank the House for their support and especially my colleagues from Kauai, Representative Morita and Representative Tokioka. Thank you."

The motion was put to vote by the Chair and carried, and H.B. No. 2872, SD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

S.B. No. 2198, SD 2, HD 2, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2198, SD 2, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO LAND CONSERVATION," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

S.B. No. 2499, HD 1, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2499, HD 1, CD 2, entitled: "A BILL FOR AN ACT RELATING TO TARO," passed Final Reading by a vote of 48 ayes and, with Representatives Bertram, Nakasone and Sonson being excused.

S.B. No. 6, HD 2, CD 2:

Representative Caldwell moved that S.B. No. 6, HD 2, CD 2, pass Final Reading, seconded by Representative B. Oshiro.

Representative Carroll rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. In opposition of Senate Bill No. 6. Although I support preservation of *opihi*, I would prefer that DLNR work on administrative rules to regulate this practice. The reason for that is you cannot treat each community the same. For my district, we have many practices, not only by native Hawaiians, but also by non-native Hawaiians, and although the Constitution supports and protects our rights, there are non-native Hawaiians who also follow our protocols and practices for subsistence and cultural reasons.

"I also have to believe that in working closely with the communities in their *moku* and their *ahupuaa*, they are able to come together and work on a management plan in how to preserve this resource. This measure before us does not address that. It provides a blanket law which could damage and hurt some of what our community practices. But more importantly, I have to believe that this will affect our families in ways where a practice or a resource that is utilized not only for nourishment, but for cultural reasons, will change the way that community views and how they operate. So I ask my colleagues to please vote in opposition to this bill."

Representative Finnegan rose in opposition to the measure and asked that the remarks of Representative Carroll be entered in the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Sagum rose in opposition to the measure and asked that the remarks of Representative Carroll be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative McKelvey rose in opposition to the measure and asked that the remarks of Representative Carroll be entered in the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Souki rose to speak in opposition to the measure, stating:

"Yes, Mr. Speaker, in reviewing the bill, I'm opposed to this measure. I don't want to pay any disrespect to Chairman Ito and his Vice Chairman, and I'm sure the ambiguities here are through no fault of the House, and it must be the other Chamber. For that reason, Mr. Speaker, I'd like to move to recommit this measure to Conference Committee."

At this time, Representative Souki moved that. S.B. No. 6, HD 2, CD 2, be recommitted to the Committee on Conference, seconded by Representative Carroll.

At 2:55 o'clock p.m., Representative M. Oshiro requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:29 o'clock p.m.

At this time, the Chair announced that S.B. No. 6, HD 2, CD 2, would be moved to the End of Calendar.

S.B. No. 2262, SD 1, HD 2, CD 2:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, S.B. No. 2262, SD 1, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO HEALTH," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

At 3:31 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 2293, HD 1, SD 2, CD 2
H.B. No. 2872, SD 2, CD 2
S.B. No. 2198, SD 2, HD 2, CD 2
S.B. No. 2499, HD 1, CD 2
S.B. No. 2262, SD 1, HD 2, CD 2

FINAL READING

The following bills were taken from the Clerk's desk and the following action taken:

Representative Caldwell then moved to agree to the amendments proposed by the Senate to the following House bills, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone and Sonson were excused.)

H.B. No. 1755, H.D. 1, S.D. 1
H.B. No. 2387, H.D. 1, S.D. 2
H.B. No. 2605, H.D. 2, S.D. 1
H.B. No. 2710, H.D. 2, S.D. 2
H.B. No. 3150, H.D. 2, S.D. 1

The Chair addressed the Clerk who announced that the record of vote forms for the aforementioned bills had been received, and a quorum was present at the respective decision making sessions with a majority of the managers present voting in the affirmative.

H.B. No. 1755, H.D. 1, S.D. 1:

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 1755, H.D. 1 and H.B. No. 1755, H.D. 1, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE GENERAL EXCISE TAX," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

H.B. No. 2387, H.D. 1, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2387, H.D. 1, on the following showing of Ayes and Noes:

Ayes, 3 (Sonson, M. Oshiro and McKelvey). Noes, none. Excused, 1 (Pine).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2387, H.D. 1 and H.B. No. 2387, H.D. 1, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

H.B. No. 2605, H.D. 2, S.D. 1:

Representative Caldwell moved that H.B. No. 2605, HD 2, SD 1, pass Final Reading, seconded by Representative B. Oshiro.

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, I rise in support of this measure. Sometimes things that are symbolic are more important than the actual. This is a great gesture to our armed forces, those who are serving in our military who can have a small exemption, $1,500, for their vehicle taxes. I think this is an important bill, it's a gesture, but it's a ‘thank you' particularly at this time when we are at war in various parts of the world. Thank you, Mr. Speaker."

Representative Cabanilla rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, I'm rising to ask for a ruling of potential conflict. I'm a member of the Army Reserve," and the Chair ruled "no conflict."

Representative Cabanilla continued in support of the measure, stating:

"Having said that, Mr. Speaker, I would like to speak in support of the measure. This bill is, in my opinion, a housekeeping measure, because the active duty components now currently have this exemption for vehicle tax, and because we are now on the fourth year or fifth year of the War on Terror and we have been sending our young men and women to war and they had been a major support of the active duty, I think that its just proper that we give them the same exemption to give them parity. Thank you."

Representative Takai rose to disclose a potential conflict of interest, stating:

"Thank you Mr. Speaker, ruling on a potential conflict. I'm a member of the Hawaii Army National Guard," the Chair ruled, "no conflict."

Representative Har rose in support of the measure and asked that her written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Har's written remarks are as follows:

"Mr. Speaker, I rise in strong support. This measure provides equity for National Guard members who reside in Hawai`i. Other states have recognized the commitment of these servicemen to the state and the country. Given our isolation from the continental United States, in the event of a major disaster or emergency the Guardsmen deployed here are the primary support to first responders. This measure would not only provide the recognition that National Guard members receive from other states; it would also come at a very minimal cost. Therefore, I ask my colleagues to support this measure. Thank you, Mr. Speaker."

Representative M. Oshiro rose in support of the measure with reservations, and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative M. Oshiro's written remarks are as follows:

"Mr. Speaker, I rise in support, but with reservations on this measure.

"This measure will allow a Hawaii resident who is a member of the Hawaii National Guard or Military Reserve an exemption on one of that member's non-commercial vehicles from the weight tax. This measure may cause a revenue loss of approximately $245,000 a year to the State Highway Fund. However, Mr. Speaker this is not the reason for my reservations.

"Mr. Speaker, it is my understanding that this measure was introduced as a show of support for the men and women who serve our country. It was estimated that the average vehicle weight tax for a vehicle in Honolulu is $35; on the Neighbor Islands the average is about $34. When you consider the sacrifice and endangerment these brave men and woman endure for our freedoms and way of life, it is a paltry sum. Mr. Speaker is this how we want to show our support and gratitude to the men and women who put their lives on the line for this State and our country? By giving them a $35 exemption on only one of their vehicles? I would have to say, no.

"To the contrary, these men and women deserve more from us and this State. Let me explain.

"Section 59, Act 213, 2007 Regular Session, last year's budget bill, directed the Office of Veterans' Services to conduct a comprehensive assessment of the adequacy of mental health services, medical and rehabilitative services, and job training and employment services for veterans of the conflicts in Iraq and Afghanistan who reside in Hawaii; and prepare a report on its findings. The proviso read in pertinent part,

"Provided that for services to veterans (DEF 112) the department of defense shall conduct a comprehensive assessment of the adequacy of mental health services, medical and rehabilitative services, and job training and employment services for veterans of the conflicts in Iraq and Afghanistan who reside in Hawaii, and prepare a report on its findings; provided further that the report shall include statistics for the current and projected population of these veterans in Hawaii, identification of gaps in services, and recommendations on how to fill the gaps in service; provided further that the report shall include:

(1) Projections for average costs per veteran served for each type of service;
(2) Projections on the number of veterans that will require each type of service;
(3) Total cost projections for each type of service;
(4) Projected costs of failing to expand each type of service beyond existing levels due to lost productivity; and
(5) A discussion on the level of federal funds available for each type of service and in aggregate, and the adequacy of federal funding dedicated to meet the needs of these veterans for services;

and provided further that the department shall submit a draft report to the legislature no later than twenty days prior to the convening of the 2008 regular session and a final report no later than February 1, 2008."

$200,000 was provided to cover any costs associated with this study and report.

"During the Departmental Budget Briefing period on January 11, 2008, Director Mark Moses submitted his budget request and noted in the written submission the following explanation for not complying with the Legislature's request pursuant to Section 59, Act 213, SLH, 2007:

"During our preliminary discussions with several researchers concerning this report, they were concerned about the timeframe to collect and process data to prepare the report. Several mentioned that it would require a team of researchers to accomplish the task. Given this feedback the OVS decided to enter discussion with the VA in early December 2007 and solicited their support in providing data to complete the report. After talking with the VA statistician, we were informed on December 27, 2007, that VA was receptive to this idea and will be supplying data, research collaboration and assistance with interpreting the data so we may provide a final report. The purpose of this draft is to present the framework of the final report that will include a detailed presentation of the issues."

"As of this day, May 1, 2008, the Office of Veteran Services never conducted the assessment. No reports have been filed with this Legislature.

"If we are serious about honoring and supporting our men and women in the National Guard and Reserves, we should be determining whether critical support systems are available for them. If we are serious we should insist that the comprehensive critique and report be presented post haste. Not merely assuaging our collective conscience with symbolic gestures.

"The whole goal of the assessment was to ascertain and quantify and qualify what we are NOT doing to properly support these brave men and women when they return home. It turns out that your State House of Representatives were ahead of the curve on this issue, as our Congressional delegation, led by Senator Daniel K. Akaka, over the summer of 2007, conducted and analyzed the same issues and concerns at the federal level. If not for the tardiness and foot-dragging of our State Office of Veteran Services, we could have continued to be ahead of the curve and, perhaps, set a standard for other states to follow.

"Instead, we get excuses from our Office of Veteran Services as to why they haven't submitted a report required by the Legislature. It's been clear from several headlines over the past few months that the federal Office of Veteran Services has been failing to provide adequate services. One has to wonder if there's another reason why our State Office of Veteran Services has been stalling and reluctant to produce any assessment.

"We are at the end of the 2008 Session, and the Office of Veteran Services has yet to submit the report that was required in December 2007. That is nearly 6 months ago, about one-half year, and no assessment, no analysis, and no report. The Director of the Office of Veteran Services and the Lingle-Aiona Administration needs to be held accountable for such failures.

"Mr. Speaker, I take note that it has been 5 years to this day, May 1, 2003, when the President of the United States, George W. Bush, stood in front of a giant "Mission Accomplished" banner aboard the USS Abraham Lincoln and declared "one victory" in the war on terrorism and an end to major combat operations in Iraq. We should know if we are providing adequate mental health and rehabilitative services to attempt to make our military veterans who have been physically and/or mentally affected by the overseas conflicts whole again. We should know if we are providing job training and employment services so that they can transition back into civilian life. There simply is no excuse for not knowing the answers to these questions.

"Mr. Speaker, it is more important to know what services we are NOT providing and then focus our collective energies and resources toward addressing those specific short comings. That's the key to truly showing our troops that we appreciate all that they have done and will continue to do for the state and country. Indeed, I hope none of us feel comfortable to sit on our laurels and congratulate ourselves while our brave warriors and citizen soldiers continue to go without adequate health care, housing, and employment opportunities. This measure is a sincere and kind gesture, but our veterans deserve far more than thirty or forty bucks a year.

"It is for the aforementioned reasons that I express my reservations on an otherwise meritorious measure."

The motion was put to vote by the Chair and carried, and the House agreed to the amendments proposed by the Senate to H.B. No. 2605, H.D. 2 and H.B. No. 2605, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE ARMED SERVICES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

H.B. No. 2710, H.D. 2, S.D. 2:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2710, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 4 (Sonson, Tokioka, Takamine and Pine). Noes, none. Excused, none.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 2710, H.D. 2 and H.B. No. 2710, H.D. 2, S.D. 2, entitled: "A BILL FOR AN ACT RELATING TO THE RE-EMPLOYMENT OF RETIREES," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

H.B. No. 3150, H.D. 2, S.D. 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 3150, H.D. 2, on the following showing of Ayes and Noes:

Ayes, 3 (Green, Morita and Mizuno). Noes, none. Excused, 1 (Ward).

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.B. No. 3150, H.D. 2 and H.B. No. 3150, H.D. 2, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT," passed Final Reading by a vote of 48 ayes, with Representatives Bertram, Nakasone and Sonson being excused.

At 3:36 o'clock a.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1755, H.D. 1, S.D. 1
H.B. No. 2387, H.D. 1, S.D. 2
H.B. No. 2605, H.D. 2, S.D. 1
H.B. No. 2710, H.D. 2, S.D. 2
H.B. No. 3150, H.D. 2, S.D. 1

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Caldwell moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative B. Oshiro and carried. (Representatives Bertram, Nakasone and Sonson were excused.)

H.C.R. No. 21, HD 1, (SD 1)
H.C.R. No. 62, HD 1, (SD 1)

FINAL ADOPTION

The following House Concurrent Resolutions were taken from the Clerk's desk and the following action taken:

H.C.R. No. 21, HD 1, SD 1

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 21, HD 1, and H.C.R. No. 21, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO WORK TOGETHER TO DEVELOP A STANDARDIZED, WORKABLE POLICY TO PROTECT THE ELDERLY WITHOUT COMPROMISING RESIDENT CARE, AND THAT ENCOURAGES MORE PEOPLE TO BECOME ADULT RESIDENTIAL CARE HOME OR COMMUNITY CARE FOSTER FAMILY HOME OPERATORS," was Adopted, with Representatives Bertram, Nakasone and Sonson being excused.

H.C.R. No. 62, HD 1, SD 1

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, the House agreed to the amendments proposed by the Senate to H.C.R. No. 62, HD 1, and H.C.R. No. 62, HD 1, S.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO STUDY THE SOCIAL AND FINANCIAL IMPACT OF MANDATORY HEALTH INSURANCE COVERAGE FOR USE OF MEDICAL SURVEILLANCE SYSTEMS," was Adopted, with Representatives Bertram, Nakasone and Sonson being excused.

At 3:38 o'clock p.m., the Chair declared a recess, subject to the call of the Chair.

The House of Representatives reconvened at 5:37 o'clock p.m.

END OF CALENDAR

S.B. No. 6, HD 2, CD 2:

The motion was put to vote by the Chair and carried, and S.B. No. 6, HD 2, CD 2, entitled: "A BILL FOR AN ACT RELATING TO OPIHI," was recommitted to the Committee on Conference with Representatives Berg, Bertram, Cabanilla, Ito, Karamatsu, Nakasone, Sagum and Waters being excused.

SUPPLEMENTAL CALENDAR #1

GOVERNOR'S MESSAGES

The following messages from the Governor, (Gov. Msg. Nos. 358 and 360) were received and announced by the Clerk, and Gov. Msg. Nos. 322 and 323 previously received, were taken from the Clerk's desk and the following action taken:

Gov. Msg. No. 358, informing the House that on May 1, 2008, H.B. No. 7, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM," was vetoed with her statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2008

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 7

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 7 entitled "A Bill for an Act Relating to the I-SaveRx Prescription Drug Program."

This bill requires the Governor to enter into a written agreement with the state of Illinois or another state to participate in the I-SaveRx prescription drug program. That program would allow the reimportation of drugs from Europe and Canada by allowing individuals to fill prescriptions from pharmacies in these foreign countries.

This bill is objectionable because it violates the Federal Food, Drug, and Cosmetic Act (21 USC (a), (c), and (d)). This federal act is specifically designed to protect the American public from receiving unsafe, ineffective, and poor quality medications, by prohibiting the importation of prescription drugs from other countries. Enactment of this bill would place Hawaii residents in violation of federal law.

For the foregoing reason, I am returning House Bill No. 7 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Representative Caldwell moved to override the veto of H.B. No. 7, HD 1, SD 1, as contained in Gov. Msg. No. 358, seconded by Representative B. Oshiro.

Representative Thielen rose to speak in opposition to the override, stating:

"Mr. Speaker, I'm rising on several reasons. The first of which is to oppose overriding the Governor's veto. The other is to send a message loud and clear to my colleagues. This has been a Session the most filled with petty partisanship that I have ever seen, Mr. Speaker. The motion that we have before us is simply another example of that, and then you go down the list of the other …"

Representative Caldwell rose to a point of order, stating:

"Mr. Speaker, point of order. She's not debating the merits of the motion to override the veto on this particular matter."

Representative Thielen continued, stating:

"Mr. Speaker, I just said the motion before us in my comments. So I believe that the Majority Leader is just trying to interrupt my debate on the motion."

The Chair then stated:

"Representative Thielen. Representative Thielen, at this point I have not recognized you, so you are out of order. The Chair at this time would respond to the Majority Leader that if your statements are in concert with the motion to override the veto the Chair will allow you, so please proceed and you've got 3 minutes to go."

Representative Thielen: "Thank you Mr. Speaker, I am speaking against overriding the Governor's veto and overriding the Governor's veto on the other measures before us on this agenda. Mr. Speaker this is petty partisan politics at its worst. We've seen that in the bill to handcuff the Governor's emergency powers, we now see the Majority coming with this motion ..."

Speaker Say: "Representative Thielen you are out of order with that point on that particular statement on the Governor's powers. There is nothing before this body in regards to this particular measure dealing with Governor's powers. It is dealing with the Hawaii I-SaveRx legislation, so Representative Thielen, please confine your remarks."

Representative Finnegan: "Mr. Speaker, I believe that you allowed people some flexibility in cases like these before, and she is speaking on the motion and explaining her motion, and the reason for her opposition to the motion."

Speaker Say: "Well she should not make any reference to any bills tied to the Governor's emergency powers at this point because it is dealing with the prescription drug program."

Representative Finnegan: "I understand, Mr. Speaker. It's also just been exercised to some flexibility in regards to other issues having to do with the motion in past, in today."

Speaker Say: "In today, well at that point when this other measure comes up in regards to emergency powers which I really don't see any …"

Representative Finnegan: "Mr. Speaker, I'm talking about debate on the motion."

Representative B. Oshiro: "Point of order, Mr. Speaker. The Minority Leader hasn't raised a point of order and you've already made a ruling, so at this point they either need to challenge the ruling or we need to move on."

Speaker Say: "Let's move on."

Representative Thielen: "Mr. Speaker, I will go ahead on debating on the motion before us, but I would also ask the Members to take a look at the third item on this, the message from the Governor that is going to be subject of an override, and it does relate to the ability of the Governor to act in an emergency as well, and that's Senate Bill …"

Speaker Say: "Representative Thielen. Representative Thielen, the Chair will allow you to speak when that particular measure comes up. It is not before us."

Representative Thielen: "Mr. Speaker, I understand that …"

Speaker Say: "Confine your remarks."

Representative Caldwell: "Point of order, you've made your ruling, a number of times."

Speaker Say: "I agree, thank you."

Representative Thielen: "I understand what you're saying Mr. Speaker. I don't want to participate in this petty partisanship of overriding vetoes of Governor Linda Lingle, the most popularly elected Governor in our State's history. And our Minority Caucus agrees with me on this."

Representative Caldwell: "Mr. Speaker, point of order."

Speaker Say: "Representative Caldwell, for what purpose do you rise? I'm allowing the speaker to speak …"

Representative Thielen: "We are leaving, Mr. Speaker."

Speaker Say: "Okay, you are leaving. Fine. Members, is there any further discussion?"

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 7, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE I-SAVERX PRESCRIPTION DRUG PROGRAM" as contained in Gov. Msg. 358, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes:

Ayes: 39: Awana, Belatti, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Excused: 12: Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen and Ward.

At 5:46 o'clock p.m., the Chair noted that the motion to override the veto of H.B. No. 7, HD 1, SD 1, as contained in Gov. Msg. No. 358, had carried.

Gov. Msg. No. 322, informing the House that on April 22, 2008, S.B. No. 868, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 868, SD 2, as contained in Gov. Msg. No. 322, seconded by Representative B. Oshiro.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 868, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BOARDS AND COMMISSIONS," as contained in Gov. Msg. 322, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes:

Ayes: 39: Awana, Belatti, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Excused: 12: Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen and Ward.

At 5:48 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 868, SD 2, as contained in Gov. Msg. No. 322, had carried.

Gov. Msg. No. 360, informing the House that on May 1, 2008, S.B. No. 2779, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," was vetoed with her statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2779

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2779, entitled "A Bill for an Act Relating to Labor."

The stated purpose of this bill is to clarify the types of circumstance under which the Governor, by executive order, may suspend the statutes relating to prevailing wages and hours for public works projects.

Current law provides that during a national emergency declared by the President or the Congress of the United States, or a state of emergency declared by the Governor, the Governor by executive order may suspend the provisions of chapter 104, titled, "Wages and Hours of Employees on Public Works," of the Hawaii Revised Statutes. Under this bill, the circumstances under which a state of emergency may be declared by the Governor appear to be limited to circumstances designated in section 127-10 or 128-7, Hawaii Revised Statutes.

This bill is objectionable because if this bill is intended as a mere clarification of the existing powers of the governor, it is unnecessary. The current law already provides the necessary provisions that enable the Governor to act quickly in addressing the needs of our people during times of emergency.

This bill is also objectionable because it adds unnecessary and confusing wording that may restrict a Governor's ability to suspend rules that protect the health and safety of Hawaii residents. I cannot allow our residents to be jeopardized if delays are encountered in emergency repairs and construction. Finally, this bill is redundant in the manner in which it is worded and obfuscates a section of the statutes where there should be unquestioned clarity--the powers of a Governor during times of emergency.

For the foregoing reasons, I am returning Senate Bill No. 2779 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

Representative Caldwell moved to override the veto of S.B. No. 2779, HD 2, as contained in Gov. Msg. No. 360, seconded by Representative B. Oshiro.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 2779, HD 2, entitled: "A BILL FOR AN ACT RELATING TO LABOR," as contained in Gov. Msg. 360, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes:

Ayes: 39: Awana, Belatti, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Manahan, McKelvey, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Excused: 12: Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen and Ward.

At 5:50 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 2779, HD 2, as contained in Gov. Msg. No. 360, had carried.

Gov. Msg. No. 323, informing the House that on April 22, 2008, S.B. No. 2898, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," was vetoed.

Representative Caldwell moved to override the veto of S.B. No. 2898, SD 1, as contained in Gov. Msg. No. 323, seconded by Representative B. Oshiro.

Representative Belatti rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. I'm quite disappointed that we have some Members on the opposite side of the aisle not present, because I hate to be the only no vote on this veto override, but I am speaking in opposition. You know we've gone through this, the Electoral College benefits small states, and we are a small state. This is essentially a work around the US Constitution. I know that the votes are not here to support my position, but I do hope that we in fact see the benefits of this measure and that we don't see the advocates go on to the next state and say 'Look at Hawaii. Look at this small state that was willing to give up their benefits under the Electoral College system. You can do it too.' I hope we're not part of that kind of marketing plan, and with that said, thank you, Mr. Speaker."

Representative McKelvey rose to speak in opposition to the override, stating:

"Thank you Mr. Speaker, in opposition. May I have the words of the previous speaker adopted as if they were my own? And real briefly members, I know I'm kind of beating a dead horse here, but again, our vote will be subsumed by that of the bigger states in the compact. California will still be king. I think it's kind of disempowering people when they vote for a candidate, and all of a sudden, because the other states in the compact, be it Pennsylvania, Ohio, Florida or California, their vote will trump our vote. It will be subsumed. Our voice will be lost. Maybe it doesn't matter, but it sends a message. Talk to former President Bill Clinton about that. Thank you, very much."

Representative B. Oshiro rose to speak in support of the override, stating:

"Mr. Speaker, I rise in support. Just very briefly, I actually would be proud if it went around and were said that Hawaii wanted to be part of this compact, because for me, what this comes down to is the fundamental right to vote; whether one man's vote or one woman's vote is equal, and that is the primary purpose that we are sustaining here today. I remember when I read George Orwell's *Animal Farm* there was a saying that, ‘All animals are created equal' but after awhile they said, ‘Well, some are more equal than others,' and that's what we have because today our Electoral College weighs some votes more heavily than others, and that's unfortunate.

"So when you talk about disenfranchisement, when you talk about people asking, ‘Why should I vote? My vote doesn't count.' That's what it all comes down to. Because for some people, their vote really doesn't count. Because what matters is about the Electoral College, what matters is if you are in a swing state, what matters is if you are in Florida, or if you're in Ohio, or if you're in those states that will determine who the president is. Hawaii, California, New York are foregone conclusions. That is not democracy. Thank you, very much."

Representative Caldwell rose to speak in support of the override, stating:

"Mr. Speaker, also brief comments in support. Comments were made that somehow we're trying to get around the Constitution of our country. If you read Article II, the Executive Branch, Section 1, The President, it says, ‘The executive power shall be vested in a President of the United States of America. He shall hold his office to a term of four years, and, together with the Vice-President chosen for the same term, be elected, as follows.' And the operative language is ‘Each state shall appoint, in such manner as the Legislature thereof may direct,' which is exactly what we are doing here today. Thank you, Mr. Speaker."

Representative Rhoads rose to speak in support of the override, stating:

"In support. I think there's a very strong argument to say that if this compact had been in place in the year 2000, Al Gore would be President today, and the country and Hawaii would be much, much better off. So I'm not sure that we're giving up anything. Thank you."

Representative Brower rose to speak in support of the override, stating:

"Mr. Speaker in support. I'm obviously supporting this measure, not for partisan reasons, but for the simple fact that too many states are irrelevant, and it doesn't go against the Founding Fathers wishes or the US Constitution, because the Founding Fathers never wanted to tell each state how to award their Electoral College votes. States can decide however they want to. Some people say that we shouldn't go against tradition, but tradition originally was that only white male land owners voted, and women didn't. So at certain times we come to conclusions where adjustments need to be made.

"I favor a Presidential race similar to the Democratic Presidential Caucuses where, because everything is by a percentage of a vote and its not winner take all, all states are important, and you see that this race is going to go all the way to the end. Whereas in the Republican caucuses, after the first 5 states made their choices, it was a foregone conclusion.

"As far as Hawaii being irrelevant, I'll give you an example of what would likely happen. You have a state like California, which will have a vote for President, and perhaps 60% of those in California will favor a democratic candidate, and 40% will favor a republican candidate. Well, under this measure if that were to happen, then a percentage of the Hawaii votes will join those in California, and the Hawaii Republicans who were marginalized with their votes for a Presidential choice previously, would join those in California and be more relevant. It's too bad that the Minority Caucus isn't here to hear this because I think that's one side of this issue that they never talked about. Thank you, Mr. Speaker."

Representative Takumi rose to speak in support of the override, stating:

"Thank you very much, Mr. Speaker. In support. I believe it's the first time in all my years in the House, it's pretty liberating to be able to say anything about the Bush Administration and not worry about a rebuttal. That said, the reason why I'm in favor of this bill is that I believe whoever gets the most votes in an election should win. It's pretty simple. If you were to ask any person in the street, ‘Do you believe whichever candidate gets the most votes should win?' I dare say, not everyone would say, yes.

"On the other hand, if you ask people on the street, ‘Do you know how the Electoral College works?' I would think most people would have no idea, they probably think you have to take the SAT to enter the Electoral College. But look, we don't do this for any of the thousands and thousands of other political races we have in this country, otherwise why wouldn't we do it for the Governor's race?

"For example, we have 51 House Districts, they all don't have an even number of actual voters, but more importantly, they don't have an exact even number of potential voters, because as we all know with the Reapportionment Commission, they are physically, mathematically not able to have every House District have the exact number. So why don't we have an Electoral College for Governors and just weight slightly districts that have a few more votes, and weight less those who don't have many votes, and add it all up and then have an electoral system. We don't do that because I think we are realizing intuitively and instinctively that would be a big mess, and again, those who get the most votes should win. Thank you very much."

Representative McKelvey rose to respond, stating:

"Thank you, Mr. Speaker. In rebuttal. I'd like to rebut some of the comments from the good speaker from Waikiki. You know, the fact of the matter is, small states, Hawaii, won't become more relevant. In the compact, the big guys are going to be the ones. It's a matter of logistics and money. You're obviously going to spend all your time in California and Texas and the big states where you have the bulk of the votes. You're not going to come to Hawaii. So from my position I just don't see that as being true. We're still going to be at the tail end of the dog. So you know, we're not going to become a big player, the Presidential candidates aren't going to come flying in here with all their jets and their entourages, and the press wont show up. Thank you."

Representative Takai rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I rise in support of this measure. First I'd like to ask that the words of the speakers in support of this measure be included into the Journal as if they were my own. Thank you, and I'd like to just add a couple things.

"First, the United States is an experiment, and I think it's worked out pretty well. But what's ironic about our experiment here in this nation is that out of all the races in the entire nation, I think the good Representative from Pearl City brought this up, but I think its important to stress this. Out of all of the races in the entire nation, or for that matter in the entire state, the one that I think is the most important for this nation is done through the Electoral College, and is not done by 'one person, one vote.'

"What is highly ironic about this is that if you take a look at the last, at least the last decade of voting, the last two Presidential races, what's interesting to note is that during Presidential races in all of our House districts we see a bump up of about 1,000 voters, and in some cases more than 2,000 voters. What's highly ironic about that is that many of the voters, as a few people already mentioned, many of the voters during a Presidential race don't even have a clue that they're in fact not voting for the President, but they're voting for an electoral vote. And I think if were going to make this experiment work forever, that 'one person, one vote' rule needs to also include our President of the United States. Thank you, Mr. Speaker."

Representative Belatti rose to respond, stating:

"Mr. Speaker just one brief comment, an observation. I hope that this fervor for one man one vote, one woman one vote will be transcended and translated into our own discussion about our super delegate process. Thank you, Mr. Speaker."

Representative Souki rose to speak in support of the override, stating:

"Yes Mr. Speaker, I speak in favor of course. We really have a short memory, some of us anyway, I will not mention any names. But go back a few years when our democratic candidate lost, Gore, and what has happened since then. The world is in turmoil. Our nation is in turmoil. What would have happened if we had one man one vote? Would the world be better? Possibly. I don't think we want to repeat this again. So let's vote for this amendment. Thank you."

Representative Brower rose to respond, stating:

"Thank you, Mr. Speaker. Just as a reminder, some people may think that only big states will count, but what will happen, though it's not that big states will count more than small states, what will happen is the smaller states will be able to get together and override or join what the big states do because it's on a percentage basis. So any large results in California may be offset by results in Hawaii because the votes of both those states for each candidate will count up until the grand total. Thank you."

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 2898, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE," as contained in Gov. Msg. 323, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes: 36: Awana, Brower, Caldwell, Carroll, Chang, Chong, Evans, Green, Hanohano, Har, Herkes, Ito, Karamatsu, Lee, Luke, Magaoay, Mizuno, Morita, Nishimoto, B. Oshiro, M. Oshiro, Rhoads, Saiki, Say, Shimabukuro, Sonson, Souki, Takai, Takamine, Takumi, Tokioka, Tsuji, Wakai, Waters, Yamane and Yamashita.

Noes: 3: Belatti, Manahan and McKelvey.

Excused: 12: Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen and Ward.

At 6:05 o'clock p.m., the Chair noted that the motion to override the veto of S.B. No. 2898, SD 1, as contained in Gov. Msg. No. 323, had carried.

The Chair then stated:

"At this time, can we have the Sergeant-at-Arms make the Minority aware that we will be adopting our closing Resolutions."

At 6:05 o'clock p.m., Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 6:06 o'clock p.m.

INTRODUCTION OF RESOLUTIONS

The following resolutions (H.R. Nos. 333 and 334) were announced by the Clerk and the following action taken:

H.R. No. 333, entitled: "HOUSE RESOLUTION AUTHORIZING AND EMPOWERING THE SPEAKER TO PERFORM AND CARRY OUT ANY OFFICIAL LEGISLATIVE BUSINESS DURING THE INTERIM BETWEEN THE 2008 AND 2009 REGULAR SESSIONS," was jointly offered by Representatives Caldwell and Finnegan.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.R. No. 333 was adopted, with Representatives Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen, Ward being excused.

H.R. No. 334, entitled: "HOUSE RESOLUTION INFORMING THE SENATE AND THE GOVERNOR THAT THE HOUSE OF REPRESENTATIVES IS READY TO ADJOURN SINE DIE," was jointly offered by Representatives Say and Chong.

On motion by Representative Caldwell, seconded by Representative B. Oshiro and carried, H.R. No. 334 was adopted, with Representatives Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Pine, Sagum, Thielen, Ward being excused.

ANNOUNCEMENTS

Representative Evans: "Mr. Speaker, I just want to say farewell to a few of our colleagues that I think are going to try to go over to the Senate and so they will not be coming back to the House. We know that, so I want to wish them well and acknowledge them and send them off with a good farewell.

"Also I want to thank all the Chairs and the Leadership for all the bills that we accomplished. I also want to thank the Sergeant-at-Arms, the Chief Clerk, and the Legislative Reference Bureau. Even though it was the second year in a biennium, it was amazing how hard everybody had to work this year and I really appreciate it. Thank you."

Speaker Say: "To all of the Members, it's been a pleasure serving you these past two Sessions. We've accomplished much and done so within the fiscal constraints of the slowing economy. The needs of our people were greater than available resources, and although we wanted much for our constituents, as well as for deserving programs and projects, we have come to understand and accept that the budget could not accommodate the communities' wish lists. Together we have had to make some very difficult decisions, and in total however they were good and excellent, responsible and balanced decisions.

"I extend my heartfelt gratitude to all of you who are part of the decision making process. Of equal importance is the direction of the House Leadership style of conducting business. The House Leadership has empowered many of you, many of you including some of our younger members by making you Committee Chairs and Vice Chairs. Seven of the House Committees are headed by first time chairs. And this reflects the confidence that the House Leadership has in its Majority Members, both Chairs and Vice Chairs. And it reflects the present House Leadership's desire to prepare the next generation of leaders within this Chamber.

"The House Leadership has also delegated much power to Committee Chairs and Vice Chairs, like I stated earlier, and have supported your decisions. The House Leadership has provided guidance and assistance only when requested. Neither the House Leadership nor I have coerced anyone into taking any action they opposed. Our leadership style has been to ask, and not to demand. My confidence in you has paid off by the accomplishments of this House, which the Majority Leader would like to summarize later.

"To the Minority, I wish they were here, which I do have the highest regards for. I personally hope the House Leadership has treated you fairly and with respect. In fact, the House Leadership has been criticized for giving you too much in proportion to your numbers. It may be a small thing, but I must let the Minority Caucus know that I noticed and appreciated its participation in Conference Committee wrap-ups in Room 309 last week Friday night. Your participation, and I wish the seven members were here, showed a solid House presence when compared to our counterparts, which to my knowledge had no Minority members present that night.

"Of course, not everything has been smooth, recent events have further opened my eyes. The House Leadership and I understand that we need to listen more to you, consult more with you, and justify more fully our actions to you. In closing, we all think we have worked well together. Although we have disagreed on certain issues, we have generally treated each other courteously and with respect. And for all of us who are here this evening, we've accomplished much for the public good as a legislative body. And that should be the main reason for our public service here. To all of you, *aloha* and *mahalo*.

"Finally there's another report that I would like to share with all of you, because I want to thank all of you for a tremendous job well done by each and every one of you and your staff who participated in the Foodbank drive. This class has made history because we generated over $16,000 and food supplies for the residents and the people of the State of Hawaii. Congratulations.

"In closing the Chair would like to recognize Representative Caldwell for a few words if he would like to, even though the Minority is not here, you may proceed."

Representative Caldwell: "Thank you, Mr. Speaker. I also wish the Minority was still here. We need both sides. Its good to have the debate, and it's unfortunate they're not here. I'd offered the Minority Leader a chance to also make a few comments and unfortunately that won't happen. I think we had a productive Session, Mr. Speaker and Members. We passed comprehensive measures that speak to action. It's more than just goal setting now. We're working to achieve them. And this is particularly true in three areas, and that's in renewable energy, agribusiness, and the environment.

"In past Sessions we set renewable energy standards and goals for reducing greenhouse gases. We also recognized that because of our isolated location, and the skyrocketing prices of petroleum, that we need to become more energy independent and we need to do it now. And therefore we are moving beyond goal setting and working to achieve those goals. The three areas, just a little more going down in detail are: renewable energy, this morning and this afternoon we passed the solar energy, hot water bill. It's an amazing piece of legislation, landmark legislation, that's going to go on all new housing developments. We did photovoltaic on lower-grade agricultural lands, so we can farm the sun. We also have bills to incentivize residential photovoltaics and net energy metering, and we're allowing ag energy facilities on agricultural lands if 90% of their production goes to alternative energy.

"In the ag to energy, Mr. Speaker, I believe we passed landmark legislation today dealing with important ag lands. Something that the Constitutional Convention in 1978 set as a goal and we finally accomplished it. We really do need to thank the Chair of Water, Land, the Vice Chair of Water, Land, the Chair of Agriculture, the Vice Chair of Agriculture, and our Vice Speaker, who worked very hard, along with you, to get this legislation passed. And while there are parts that may trouble people, I believe that we're setting a standard and in the long run we're going to preserve the most valuable parts of agricultural lands in our State.

"In environment and conservation, Mr. Speaker, we had tax incentives to private landowners if they commit their lands in perpetuity to conservation. And we set up federal and State biosecurity facilities that the Chair of Agriculture worked so hard on. This is going to really protect the impact that we're seeing from the influx of so many invasive species. This is something that we cannot do later. We need to take action now.

"And then the recycling of electronic devices, landmark legislation we can join some of the other progressive states. And something kind of small but important, we have this issue of environmental assessments for small projects that look like it could shut down construction throughout our State, and through the hard work of the Chair of EEP and our Majority Floor Leader, they were able to work this out and avoid a crisis, and that's to their credit.

"So we're finally moving forward Mr. Speaker. We also did things on housing infrastructure. Remember last Session, we committed to affordable housing? We've done issues there and of course now we have the HUGS Harbor improvements we're committing over $800 million to. We feel very good about this.

"In closing, Mr. Speaker, it's sad that we don't have the Minority here. We've had a difficult 24th Session. Oh, we have one Minority member. Thank you, Representative from Ewa. We really appreciate you coming back. Thank you. And she's smiling. Mr. Speaker, it's been difficult on a personal level for some of us. Some of us have lost both our parents. Others, one of our parents. Nothing is harder than losing a parent, no matter what your age is.

"We also have one of our members who is battling cancer. And his chair sits there, everyday, and his office is empty, and most of us miss not being able to go there to decompress, catch up, and get grounded. We wish him the very best and we've all signed a card to let him know that.

"On a good point, Mr. Speaker, one of our members is going to be a mama. She got married and she is going to have a baby. That's very positive. She's going to be a beautiful mother, and she's beautiful as a pregnant woman. She has that glow that only pregnant women can have.

"Finally Mr. Speaker, we're moving beyond goal setting, and that's good for our State. With that, we look forward to seeing all of you back next year to work hard, to do the people's work, to move our State forward. Thank you very much."

Speaker Say: "Representative Pine, the Chair would like to recognize you in representing the Minority Caucus."

Representative Pine: "This is a little unexpected, but I heard you talking about listening, and I was so moved to come back in here because we missed the time to talk about what's in our hearts. And I'm one of the descendants of the founding fathers, and lately I've been watching that movie ‘John Adams' on HBO, and I was so

fascinated with how hard it was for them to really form our Constitution and put this country together. And even the last statement he says about his death, when he's up in heaven or wherever he believed he was going to be, he hoped that Americans wouldn't waste it, the freedoms that the Founding Fathers gave to us. I never thought that I would be a politician. I was supposed to be a broadcast journalist, but here I am today because I was moved to be a part of this process.

"And the reason why the Minority Caucus walked out today, Mr. Speaker, is because they feel that this body is not listening to the people of Hawaii, listening to the very people that elected a Governor. In every single one of our districts, she won. But we're not listening. Out of all the Democrat Governors that we have had, we've had one bill overridden. But since I have been in office, since the Governor's been in office, I can't even count them anymore. And she doesn't veto these bills because she's thinking about reelection, especially now we can see that. She's thinking and listening to every single person in all of our districts, because she believes that a bill, although the title is great, well intended, something could cause more harm than good.

"And we did do some wonderful, wonderful things. And I love all of you guys, I have to say, I really do. I used to hate Blake Oshiro, you know. But really, it's just about understanding that it is all about the words, and the book, and the law, and the statue. And then if you can debate that way, he's an okay guy. But really I just want to say, as we're taking a break starting tomorrow, let's remember when we weren't politicians and all of our hopes and our dreams that we had and what government could be. I think that if one day we just put aside the power. Power consumes you in this building. You get caught up with leadership fights and all these, 'whose bill gets killed' and whatever. But if we put hard feelings aside and look everything just intellectually, with our hearts, and what's good for the people of Hawaii. If everyone got to know the Governor personally, I feel so blessed that I get to know this woman on such a personal level, you will find that she's pretty cool, and that she'll listen to you. If you debate her with your heart and with your mind, and not by what Party that you come from.

"So I look forward to this next election, I do hope to see all of you back here. And I hope we come in here a little differently, not seeking any power for ourselves, but really to embrace what our Founding Fathers told us to do. Don't waste what they gave us. Thank you."

The Chair then stated:

"Thank you, very much. Before closing, for all of us, there is some sadness, because three of our colleagues will be leaving for the upper Chamber. At this time the Chair would like to have Chair Takamine, who is the senior member of this class who is leaving, to say a few words to the Members of our illustrious Chamber. Chair Takamine."

Representative Takamine gave his farewell remarks as follows:

"Thank you, Mr. Speaker. I guess it's been awhile now. Twenty-four years I've had the privilege and honor of being a Member of this body. I recall it was 25 years ago that I had the privilege of listening to one of the last Floor speeches of a former member of this body who had served his constituents for 26 years. His name was Yoshito Takamine. In his comments he had a sense of optimism about the future, about the future of this body, about the future of this institution. He pointed to the new members that had become part of the House, and I guess he made reference to the fact that they could be his grandchildren. But I think he saw that sense of idealism. And even though it might not have all been at the same level, it's important to have that desire to want to do the best job possible, to do good for the people of our State. And as I leave this Chamber, I have that same sense of optimism. I think as you look at the Members here and the gifts that each one brings to the table, I think the future is going to be good.

"And I wanted to kind of use this opportunity to really say thank you, Mr. Speaker, to you, and to my colleagues. You know earlier this evening Representative Manahan pointed out that it's still a special privilege to be one of 76, because that's a very special shared experience. And in the past years, I want to thank my colleagues, all of you, for the opportunity to learn from one another, for the opportunity to share experiences, for the friendships that have come about. Even for the Members of the body that I tended to disagree with more than agree, I want to say, thank you. Because I think the exchanges that occurred, sharing perhaps different ideas, helped me.

"Mr. Speaker, I guess the longer you stay a part of this body, the more you realize that to get anything done takes effort and support from so many. Certainly for me, I guess as I end this Session, I wanted to thank my staff: Cynthia, Robbie, Brev who's not here. I want to say thank you for your dedication, for your efforts, for your hard work. And I know for each of us it's the same feelings for our staff and those who help us. And it goes beyond that because certainly getting to know all of the people who make this institution run as well as it does, Pat and her staff, Kevin and his people, Linda, Rich, all of the others, all of the other groups of workers that allow us to do the job that we do. Thank you very, very much because that's such an essential part of the process.

"You know I'm not different from any other of the Members and in my situation my father had a tremendous impact on the path that I pursued. It was both of my parents, much like all of you, that played a fundamental role in allowing me to share these remarks tonight. And I know that, especially as we hit the campaign trail, our family members, especially our immediate family members, they're the ones who take the brunt of the sacrifices that need to be made so that we can have the opportunity that we have. Therefore I wanted to use the opportunity to say thank you to my *ohana*, my parents, my immediate family, siblings, and in my situation our boys, Galen, Trevor, and Aaron. And there's one person who has become a special partner and my very best friend. And to prove it, I guess she sat through hours and hours this afternoon of Final Readings and Veto Overrides and all of that. But if I could ask you to help me acknowledge my special partner, Carol.

"I'm no different than anyone here who sits in the Chamber and without the love and support of all of those people who make such a tremendous difference, it just adds to the quality, or even allows the possibility of the work that we do collectively. And certainly as has been indicated, without the support of our constituents, the privilege, the honor never happens. And I certainly would to thank all of those supporters, Mr. Speaker.

"Mr. Speaker, twenty-four years has been a tremendous educational experience for me. It's also been a hell of a ride, and therefore for this experience, to each and to every one of you, I want to say thank you, thank you very much. Thank you, Mr. Speaker."

The Chair then stated:

"The next individual that will be leaving, my nickname to him is the 'Filipino Flash'. Representative Sonson, please."

Representative Sonson gave his farewell remarks as follows:

"I don't like saying goodbyes. First I'd like to acknowledge my family: my wife Jennifer; Michael, my son who is 15 years old; my daughter, she's 9 going on 20; and Pufi. They're all my family that I've got. I lost my parents on the road to being a Member of this illustrious House. I'm honored to speak before you for the last time, and I know that some of you are saying, ‘Oh yeah, great.' I'm also honored to hear you for the last time. I congratulate each of you for a job well done. For the State of Hawaii, we all work together to provide leadership in public service. As a result we bring honor to our institution, the House of Representatives. To serve with you it

has been an honor. And in saying goodbye, we must celebrate the choices and the sacrifices you have made to be part of this body.

"For the past 6 years that I have served with you I know we have delivered much to our communities. Together we have improved and provided education for our children, healthcare for the sick, caring homes for the homeless, the aged and the disabled. We brought hope for the working people of Hawaii.

"As we part, I challenge you not to rest on these successes but to continue to strive towards even loftier goals. Remember always that purposeful change is the sum of many individual decisions. Don't be afraid to take small actions every day. In the end they all add up. My hope for you is that you will cultivate this attitude as we return to our districts and to our own private lives.

"I learned many things these past 6 years. I learned that leadership is not about being elected or appointed to this office, because the office does not teach someone how to be a leader. Leadership is an attitude cultivated over time. Are you going to stand up for what you believe and face the music even when that music happens to be unpleasant? Do you have the purpose, and do you follow that purpose to get to the ends you desire? Do you have a vision? These are all questions that true leaders such as you must answer in the affirmative.

"Each small decision you make takes you one step closer. Remember the goal is not to get power, but to get your vision and your purpose across. Leaders without visions can be likened to driving in Leeward Oahu without a road map. We're all going to wind up somewhere, but it just might not be in the best part of Waipahu.

"Many see public service as a means to an end. To be popular through repetitive exposure and the media. Yeah, a lot of people saw me on TV, and they told me so. Some might see it as a way to improve their social life. While others may view it as a convenient means to assert power over another. But we all know that is not true public service. I say to you that public service is an attitude. We must do it for the right reasons. What I'm talking about is that in the end when it is all done and we part we can all look back and realize that we did something worthwhile. That maybe we helped our fellow man in some small way.

"I see that my time is up. I see your faces, and believe it or not I'm not as tough as I look. I want to cry when I see that I'm going to leave this House after six years. You know it took me eight years to get here. I wanted it so bad, and now I'm standing right here saying goodbye to all of you. I thank you for this honor. You are truly the best of the best. Enjoy yourself and I hope that I will see you again. Life is a promise, let us all fulfill it. Mabuhay. Diyos ti agngina."

The Chair then stated:

"And finally, for all of you, the sophomore Representative who has been here for 4 years who is our doctor in the Chambers and a great individual, Representative Josh Green."

Representative Green gave his farewell remarks as follows:

"Thank you, Mr. Speaker, for giving me this time. I'll just speak for a very brief time. I wanted to say it's been an honor to work with everyone. I'm a newcomer in many ways to Hawaii. I was a newcomer to Oahu. I'd actually never been to Oahu but for one time, and I sat next to Representative Luke when I was learning what it meant to be a candidate. So it was just one time. And when I came to Oahu, I didn't have a single acquaintance or friend, and I certainly leave this four-year period of life absolutely knowing that there are many, many friends and so many kind people that have been here for me.

"I want to say an important thank you to a few people, very specifically, Alika, who has been the core of my office, who has been absolutely a great friend, and I want to say that his best quality is a fierce loyalty. And I know we all have someone in our lives, in our offices that is like that. I've heard throughout the days and the years, always mention those people. But Alika's fierce loyalty for me, very much like a younger brother worried bout his crazy older brother, on too many occasions, has been moving for me.

"Fele, who's sitting next to Alika, Fele is the smile of our office, that's her best trait. She never fails, never fails, to be happy and to help us get through the absurdity of sometimes what we're going through, and the petty fights that I pick, and the difficult times that we sometimes face. But Fele provided bounds for me while I was here, and so I wanted to thank her and I love her very much.

"Two other members of my team I wanted to honor, Nicholas and Alan, terrific young people that are part of our staff that just really were both family members and friends. Once again, they haven't had the same amount of time here, but we had such a small group and we had so much to hold us together through this year and years past that it's really one of those things that you feel really strongly about and you feel is very special in your life. People become a family that way and I think we've all experienced that.

"So I wanted to say that in first I'm grateful about these friendships that I've been honored with. I want to thank you for enduring in me what I know is an attitude on occasion, and an occasional stubborn arrogance. It's not lost on me that that's who I am. But I never meant it to hurt or offend. And it's really been pleasant to see every person here with their different qualities that they bring and to have been embraced by people has been important to me, I wanted you to hear that from me.

"I wanted to say that these four years were big in my life because as I got to know you, I met my wife like three days after I came to Oahu. I told you I didn't know anyone, and I met her and amazingly, got married and we have a child. And so you've shared that with me. I'll have memories long after someone kicks my butt and I don't see another minute in political office, or even get to come to Oahu. I'll remember my baby and my wife in those first years with you. Those are the memories that I'll have. And that means a lot in a person's life; how they share those first moments in their family.

"I want to acknowledge a couple people that were with me helping me so much throughout. Carl Silva, who was like a member of the team because we would focus so much on health issues all the time, I just wanted to say thank you to Carl. He is an excellent person and a quiet person who I probably wouldn't even sometimes think to acknowledge, but he is important to me.

"And I don't want to focus too much time on individuals because I care about everyone here, but Representative Mizuno, before he became an elected official was already a very close friend. And we even had a rollercoaster ride at different times. He yelling at me and vice versa, on rare occasions. But it was a special bond that after Chair Arakaki retired, who was obviously a mentor to me, much like Dwight was, and Speaker was. Chair Arakaki handed that over, that experience over to John, and he was close to me, so it was very important to have John with me.

"So I would just say, like Dwight, I'm very optimistic about the future. It shouldn't be cliché though because I look around and I see someone who may be the next Attorney General. Someone who'll be the next Governor in this room. Someone who will certainly, all of you are going to be leaders for so much time ahead, and it's really quite incredible to have this last moment to look at you and to realize that the next US Senator is probably going to come from here. Or the next Governor, in the years to come. And it's just an incredible thing for me to think about. So I'm honored to stand here for these last couple seconds with you.

"And I guess I just close with saying that I do wish for everyone completely to be well. So when you come to the Big Island and hurt yourself, or you have an unpleasant infection that requires discretion, Representative Nishimoto, or even if it's something as mundane as you've lost your prescription for Rogaine, Majority Leader Caldwell. You shouldn't be shy to call me, because I will be there for you. Thank you so much for having me."

At this time, the Chair addressed the Members, stating:

"So in closing, members of the House, let me say to all of you this. There are different agencies within this operation of this chamber that I think we should all recognize and applaud. Let us hold our applause until they are all recognized. Your officers of the State House of Representatives: Ms. Pat Mau-Shimizu. Pat would you please stand. Ms. CJ Leong. CJ would you please stand also. And their associates and employees of the Chief Clerk's Office, Ms. Denise Liu, who is seated. Denise would you stand. But all of the employees of the Chief Clerk Office who have made it so convenient for all of you in the processing and filing of Bills, Resolutions, Committee Reports, etc. That was one part of the operations. Even the Printshop, where Tammy is in charge.

"The Sergeant-at-Arms, Mr. Kevin Kuroda, Mr. Lon Paresa, and the Sergeant-at-Arms Office, who was there for you in trying to maintain your offices with the supplies and equipment and parking.

"The House Majority Staff Office, Ms. Linda Oamilda. Would you please stand, Linda. With our Chief Attorneys, which we are very fortunate to have, Mr. Richard Dvonch and Mr. Jim Funaki. Linda, would you please convey our thank you very much to the office for a tremendous job well done by their researchers and analysts. All of you have gone there for support and help, and you folks all know that.

"Ms. Georgette Deemer, Georgette, in representing the House in our public relations area. Mr. Chuck Freedman from Representative Caldwell's office. Chuck. And for all of you who have visited the offices, my two chiefs of staffs, Mr. 'BT' Brian Takeshita, Brian please stand, and Mr. Calvin Azama, who have assisted all of you when you have made the requests. Finally, Chair Oshiro, your Finance staff who have also done a tremendous job on behalf of this Chamber.

"So in closing, Members of the House would you please stand and give all the employees of the State House of Representatives a round of applause. And there's one group that I did miss, which the Majority Leader asked that I recognize. Representative Pine and Representative Ward, would you please submit the names of your Minority staff employees who have contributed so much to the operations of the Minority. The only person that I really know is Mr. Boyd Akase, who is not here. So once again, thank you, thank you very much for a job well done and best wishes and may the Lord be with all of you. Thank you."

The following is a list of all 2008 Session staff of the House of Representatives:

Representative Awana: Kanani Kaaiawahia Buluwan, Enoka C. Lucas, Stevenson L. Samuelu, Anna L. Ventura

Representative Belatti: Francis H. Choe, Tiffany Kaeo, Lina M. Le, Kerianne M. Pascua, Kesha M. Wing

Representative Berg: Ria Leilani R. Baldevia, Curtis E. Johnson, Elizabeth A. Labby, Ian Y. Lind

Representative Bertram: Margaret L. Logotaeao, Leon R. Rouse

Representative Brower: Richard P. Halverson, Lei R. Learmont, Sherrie L. Thomas

Representative Cabanilla: Daniel P. De Gracia II, Philmund W.M. Lee, Christopher C. Manabat, Ilalo B. Parayno

Representative Caldwell: David K. Fry, Lisa M. Kane

Representative Carroll: Cole K. Horcajo, Anthony J. Moon, Kristen K. Souza

Representative Chang: Barbara D. Anderson, Bernardine F.L. Jay, Francine S. Kaneshige

Representative Ching: Ronda W. Ching-Day, Colette R. Devou, Amy L. Hammond

Representative Chong: Lody Aisha Allen, Jill M. Springer, Janine A. Tully

Representative Evans: Jon T. Alcos, Tom P. McAuliffe, Brian K. Tokuuke

Representative Finnegan: Kendall M. Amazaki Jr., Steven B. Antonio

Representative Green: Nicholas R. Green, Allen G. McCune, Felea'i S. Tau

Representative Hanohano: Mary L. Baker, Kaliko Chun, Anuhea P. Clark

Representative Har: Jonathan L. Allen, Warren P. Anderson, Leanne Y. Galanti, Shawn A. James Leavey, Jessica S. Rice, Michael J. Schowalter, En H. Young

Representative Herkes: Lance C. Ching, Noah H. Gibson, Susan E. Hampton, Robin L. Valentine-Kindred, Brian Y. Yamane

Representative Ito: Troy J.H. Andrade, Sharon H. Kanegawa, Kaye W. Lum, George J. Okuda

Representative Karamatsu: Carrie H. Azama, Brandon T. Lee

Representative Lee: Oldouz C. Behzad, Lloyd I. Nakahara, Linda E. Tanaka

Representative Luke: Janice R. Farrant, Micah E. Young

Representative Magaoay: Therace C. Fomin Walker, Judy L.H. Fomin, Walter Tonai

Representative Manahan: Gene A. Albano, Haylee D. Faustin, Allan E. Garcia

Representative Maurmoto: Judith L. Fadrowsky, Gaye M. Miyasaki, Maureen K. Muraoka

Representative McKelvey: Teriitavae K. Perez, Lauren A. Valle, Natalie Yribe

Representative Meyer: Leslie S. Chow, Reinalyn M. Terrado

Representative Mizuno: Josephine R. Besario, Edgar L. Fernandez, Alice S. Nakama, Leolani L. Oyama

Representative Morita: Chelsea L. Arnott, Marietta B. Smith

Representative Nakasone: Cody-Allen S. Ching, George I. Ito

Representative Nishimoto: Leah M. Ferrarone, Bryan J. Gallarde, Ty T. Nakatani, Jolyn Adele G. Prieto, Bryce R. Tanaka

Representative B. Oshiro: Kenneth G. Best, Kyle H. Kamidoi, Melita L.T. Lani

Representative M. Oshiro: Erik K. Abe, Akio H. Adams, Casey K. Ching, Jonathan D. Conner, Lauren M. Endo, Leslie R. Goo, Hunter C.A. Gradie, Daniel Han, Mary Ann A. Kawano, Shaun M. Kindred, Stanley T. Kubota, Allison G. Lee, Nicolette Rowe, Renwick V.I. Tassill, Jeffrey K. Yamashiro

Representative Pine: Mariano G. Doctolero, Rebecca D. Erickson, Lilia F. Lambinicio, Venus K. Lee, Bianca I. Mordasini, Jame K. Schaedel

Representative Rhoads: Kapuaonalani Aiu-Yasuhara, Sonny Le, Stephen A. Lohse, Emily R. Viglielmo

Representative Sagum: Amy T. Maeda, Joyce H. Ohta, Florence H. Wakuya

Representative Saiki: April L.E. Pope, Jason M.A. Walter

Representative Shimabukuro: Wallace J. Inglis, Gerald M. Kita, Kristin H. Kline, Dana P. Newman, Jessie A. Torres

Representative Sonson: Vincente F. Aquino, Felice T. Guillermo, Ligaya V. Hartman

Representative Souki: Peggy J. Collier, Moses A. Lum Hoy, Vernon M. Souki

Representative Takai: Marnelli Joy L. Basilio, Cheryl A. Derby, Torano Harris, Sandra Kim, Shardae K. Marbley

Representative Takamine: Deborah R. Adams, Brevely A. Blas

Representative Takumi: Herbert N. Fujikawa, Brett R. Shintani, Tina N. Yamamoto

Representative Thielen: Michele E. Chess-McCoy, Audrea N. Nolan

Representative Tokioka: Raymond Adams, Reuben K. Kanoho, Chanel L. Williams, W. Mason Young

Representative Tsuji: Diana C. Hahn, Malina K. Iida, Ken T. Nakamoto

Representative Wakai: Karen M.L. Dang, Ryan T. Oishi, Jenna W.Y.C. Takenouchi, Joan S. Ushijima, Denise A. Wandasan

Representative Ward: Philip L. Draper, Marian J. Grey, Brian C. Shea

Representative Waters: Sheenah Maria T. Aflague, Sharon F. Basmayor, James Miura, Orrin H. Nakanelua, James J. Nelson, Chelsea K. Tanimura

Representative Yamane: Danielle M.M. Bass, Cathy T. Yasuda

Representative Yamashita: Emma L. Perry, Ian K. Ross, Jeannin-Melissa K. Russo

Majority Research: Eric J. Bernal, Jonnilyn K. Brown, Patrick K. Daniels, Sharilyn D. Ho, Howard K. Kam III, Ambrose F.K. Rapis-Zerbe, William Y. Toyozaki

Minority Research: Kristi L. Arakaki, Michael D. Foley, Krystal H. Leong, Tracy H. Okubo, Jayna A. Reynon, Emerito C. Saniatan, Paul L. Vierling

Clerks Office: Arlene C. Abiang, Richard N. Ah Lee Sam III, Luke B. Artiaga, Angel Fujihara, Tiffany M. Hill, Chi-Hwa Ho, Stefan P. Kelly, Gale Kuba, Hu Li, Natasha M. Lum, Lauren-Lee E. Moniz, Mike B. Nacar, Jenni M. Panoncial, Sheryll P. Pila, Patrick C. Richardson, Kelli K. Sterling, Sandy S. Suzuki, Jill M. Takamatsu, Kent D. Takamoto, Natalie K. Villanueva, Tat Ming Woo, Scott K. Yamane, Misty M. Young, Diane A. Yukumoto

Printshop: Fritzi I. Belmoro, Carol F. Cabebe, Kay K. DeMello, Karen Y. Ebisuya, Leonard C. Geronimo Jr., Kenneth M. Gibo, Bradley K. Haida, Roy H. Higa, Francine K. Hirata, Rosalind A. Ho, Robin E. Ide, Raul T. Juarez, Lorrin K. Kaalekahi Jr., Summer K. Kaleo, Jean Kinoshita, Elaine R. Miyamoto, Mitchell R. Osurman, Har Ping Pang, Mildred Y. Phillips, Estelita Pumares, Eleanor M. Riney, Alice A. Sato, Amy Y.M. Say, Linda Shishido, Shirley May Sing, Peggie R. Spencer, Stuart T. Suzuki, Aileen A. Tanaka, Curtis F. Yoshida, Wesley T. Yoshitake

Sergeant-At-Arms: Suzanne L. Apo, Francis J. Baysa, Yolanda M. Bryant, Matthew D. Daog, Roycen K. Dehmer, Kate S. Hirayasu, Kenneth K. Lee, Grant I. Miyake, Matt I.N. Oamilda, Kevin I. Omori, Jon M. Shitabata, Jacob E. Silva, Alfonso B. Singson, Jeffrey K. Spencer, Colleen B.J. Takenouchi, Richard H. Tamashiro, Mark H. Villamor, Raymond H. Yamane

Custodians: Dorothy S. Alvarado, Dolores E. Baysa

ADJOURNMENT

Representative Caldwell moved that the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, adjourn Sine Die, seconded by Representative Pine.

The motion was put to vote by the Chair and carried, and at 6:47 o'clock p.m., the Speaker rapped his gavel and declared the House of Representatives of the Twenty-Fourth Legislature of the State of Hawaii, Regular Session of 2008, adjourned Sine Die. (Representatives Berg, Bertram, Cabanilla, Ching, Finnegan, Marumoto, Meyer, Nakasone, Sagum, Saiki and Thielen were excused.)

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 351 through 357, 359 and 361) were received by the Clerk and were placed on file:

Gov. Msg. No. 351, dated April 30, 2008, transmitting the Hawaii Department of Agriculture Annual Report for Fiscal Year 2007 & Statistics of Hawaii Agriculture 2006 as required by HRS 141-1(7).

Gov. Msg. No. 352, dated May 1, 2008, transmitting the Report pursuant to SCR 140/HCR 197 (2006) on Development of Master Plan and Financial Feasibility Report for Leahi Hospital, HHSC Oahu Region – Preliminary Planning Documents for Leahi Hospital.

Gov. Msg. No. 353, informing the House that on May 1, 2008, the following bill was signed into law:

S.B. No. 3185, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CANCER." (ACT 052)

Gov. Msg. No. 354, informing the House that on May 1, 2008, the following bill was signed into law:

S.B. No. 2782, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO METAL." (ACT 053)

Gov. Msg. No. 355, informing the House that on May 1, 2008, the following bill was signed into law:

S.B. No. 3006, SD 1, HD 2, entitled: "A BILL FOR AN ACT RELATING TO BUSINESS REGISTRATION." (ACT 054)

Gov. Msg. No. 356, informing the House that on May 1, 2008, the following bill was signed into law:

H.B. No. 2559, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM UNCLAIMED PROPERTY ACT." (ACT 055)

Gov. Msg. No. 357, informing the House that on May 1, 2008, the following bill was signed into law:

S.B. No. 2900, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC LANDS." (ACT 056)

Gov. Msg. No. 359, transmitting S.B. No. 2129, SD 2, HD 1, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2129

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2129, entitled "A Bill for an Act Relating to Elder Affairs."

The purpose of this bill is to authorize the Policy Advisory Board for Elder Affairs to testify before the Legislature on any matter related to its duties and responsibilities rather than having its communications with the Legislature go through the Executive Branch, including the Executive Office on Aging and the Director of Health, pursuant to section 26-35(a)(l), Hawaii Revised Statutes.

I believe communication between persons at all levels of the legislative and executive branches is vital to our ability to fulfill the responsibilities each of us is assigned by the Constitution and laws of the State.

It is my understanding that individual members of boards and commissions, including this Board, testify regularly and respond to requests from individual members and committees of the Legislature. Boards and commissions also take official positions on bills pending before the Legislature and, when doing so, coordinate this testimony through the appropriate department and agency to which they are attached.

This Board and its members are clearly already able to testify in their individual capacities on matters before the Legislature. Because procedures are already in place for all commissions to communicate, including the Policy Advisory Board for Elder Affairs, and, more importantly, are being used regularly, this bill is not needed. It would be inappropriate to allow one Board, out of over 160 existing boards and commissions, to bypass the existing statutory process.

For the foregoing reasons, I am returning Senate Bill No. 2129 without my approval.

Respectfully,
/s
LINDA LINGLE
Governor of Hawaii"

Gov. Msg. No. 361, transmitting S.B. No. 2828, SD 2, HD 2, without her approval and statement of objections relating to the measure as follows:

"EXECUTIVE CHAMBERS
HONOLULU
May 1, 2008

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 2828

Honorable Members
Twenty-Fourth Legislature
State of Hawaii

Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, Senate Bill No. 2828, entitled "A Bill for an Act Relating to Disaster Relief."

The purpose of this bill is to confine the Governor's power to provide relief for disasters caused by events other than acts of nature, enemy attack, or acts of terrorism, solely to the period immediately after a man-made disaster occurs until the Legislature acts to provide further relief in a regular or special session. It also limits the extent to which the Governor may suspend laws to provide relief for man-made disasters only until the next occurring regular session of the Legislature is adjourned sine die, unless the suspension of laws is extended by a concurrent resolution or legislative enactment.

Unless the Legislature is already sitting in a regular session, the Legislature will have to be called into special session every time a disaster occurs that falls outside the narrow scope of this bill.

This measure is particularly onerous because the substantial restrictions placed on the State's ability to respond to disasters in the future, are also imposed on disaster relief efforts that are currently underway, unless the Legislature permits them to continue by concurrent resolution. Allowing this measure to become law could prevent us from completing on-going efforts to shelter and provide needed health and social services for the homeless on Oahu.

This bill also creates substantial potential legal issues for the several emergency proclamations pursuant to which disaster relief for the homeless is currently being provided. This bill terminates those proclamations immediately--creating significant uncertainty. This immediate termination is inappropriate.

The full panoply of the State's resources should be available to respond to every disaster that may threaten the community. The Governor should not be precluded from utilizing those resources until the Legislature gives its permission to act.

For all of these reasons, therefore, I am returning Senate Bill No. 2828 without my approval.

Respectfully,
/s/
LINDA LINGLE
Governor of Hawaii"

HOUSE COMMUNICATIONS

House Communication dated May 1, 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 following bills have this day passed Final Reading in the House of Representatives:

H.B. No. 357, HD 2, SD 1, CD 1
H.B. No. 1412, HD 1, SD 1, CD 1
H.B. No. 2293, HD 1, SD 2, CD 2
H.B. No. 2505, HD 2, SD 2, CD 1
H.B. No. 2507, HD 1, SD 2, CD 1
H.B. No. 2531, HD 1, SD 2, CD 1
H.B. No. 2704, HD 2, SD 1, CD 1
H.B. No. 2843, HD 2, SD 2, CD 1
H.B. No. 2863, HD 2, SD 2, CD 1
H.B. No. 2872, SD 2, CD 2
H.B. No. 3120, HD 2, SD 1, CD 1
H.B. No. 3352, HD 2, SD 2, CD 1
H.B. No. 3377, SD 2, CD 1

S.B. No. 156, SD 2, HD 2, CD 1
S.B. No. 644, SD 3, HD 3, CD 1
S.B. No. 871, SD 2, HD 2, CD 1
S.B. No. 1804, SD 2, HD 2, CD 1
S.B. No. 2082, SD 2, HD 1, CD 1
S.B. No. 2083, SD 2, HD 1, CD 1
S.B. No. 2198, SD 2, HD 2, CD 2
S.B. No. 2262, SD 1, HD 2, CD 2
S.B. No. 2423, SD 2, HD 2, CD 1
S.B. No. 2499, HD 1, CD 2
S.B. No. 2646, SD 2, HD 2, CD 1
S.B. No. 2850, SD 2, HD 2, CD 1
S.B. No. 2915, SD 2, HD 1, CD 1
S.B. No. 3174, SD 2, HD 2, CD 1
S.B. No. 3252, SD 2, HD 2, CD 1

House Communication dated May 1, 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 this day, agreed to the Senate amendments of the above titled Bill [*sic*] and passed said Bill on Final Reading.

H.B. No. 1755, H.D. 1, S.D. 1
H.B. No. 2387, H.D. 1, S.D. 2
H.B. No. 2605, H.D. 2, S.D. 1
H.B. No. 2710, H.D. 2, S.D. 2
H.B. No. 3150, H.D. 2, S.D. 1

House Communication dated May 1, 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 agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 21, HD 1, SD 1
H.C.R. No. 62, HD 1, SD 1

House Communication dated May 1, 2007 [*sic*], 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 reconsidered House Bill No. 7, HD 1, SD 1 heretofore vetoed as set forth in Governor's Message dated May 1, 2008, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007 [*sic*], 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 reconsidered Senate Bill No. 868, SD 2 heretofore vetoed as set forth in Governor's Message dated April 22, 2008, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007 [*sic*], 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 reconsidered Senate Bill No. 2779, HD 2, heretofore vetoed as set forth in Governor's Message dated May 1, 2008, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 1, 2007 [*sic*], 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 reconsidered Senate Bill No. 2898, SD 1, heretofore vetoed as set forth in Governor's Message dated April 22, 2008, and approved said bill by an affirmative vote of two-thirds of all members of which the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, is entitled.

House Communication dated May 5, 2008, from Patricia Mau-Shimizu, Chief Clerk of the House of Representatives, to the Honorable Governor Linda Lingle; and Ms. Myra Shozuya, Revisor of Statutes, Legislative Reference Bureau; transmitting a copy of the document certifying that on May 1, 2008, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered House Bill No. 7, HD 1, SD 1, heretofore vetoed as set forth in a Governor's Message dated May 1, 2008, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. In addition, a copy of House Bill No. 7, HD 1, SD 1, designated as Act 59 of the Twenty-fourth Legislature of the State of Hawaii, was enclosed.

OTHER COMMUNICATIONS

Senate Communication transmitting a copy of the document certifying that on May 1, 2008, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 868, SD 2, heretofore vetoed as set forth in a Governor's Message dated April 22, 2008, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 868, SD 2, designated as Act 60 of the Twenty-fourth Legislature of the State of Hawaii, was enclosed.

Senate Communication transmitting a copy of the document certifying that on May 1, 2008, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 2779, HD 2, heretofore vetoed as set forth in a Governor's Message dated May 1, 2008, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 2779, HD 2, designated as Act 61 of the Twenty-fourth Legislature of the State of Hawaii, was enclosed.

Senate Communication transmitting a copy of the document certifying that on May 1, 2008, pursuant to Sections 16 and 17 of Article III of the Hawaii State Constitution, the Hawaii State Senate and the Hawaii State House of Representatives, reconsidered Senate Bill No. 2898, SD 1, heretofore vetoed as set forth in a Governor's Message dated April 22, 2008, and approved said bill by an affirmative vote of two-thirds of the members to which each chamber is entitled. A copy of Senate Bill No. 2898, SD 1, designated as Act 62 of the Twenty-fourth Legislature of the State of Hawaii, was enclosed.

GOVERNOR'S MESSAGES and COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE 2008 LEGISLATURE SINE DIE

Governor's Messages: See Special Session 2008.

Departmental Communications: See Special Session 2008.

Miscellaneous Communications: See Special Session 2008.

SENATE COMMUNICATIONS RECEIVED AFTER THE ADJOURNMENT OF THE 2008 LEGISLATURE SINE DIE

Sen. Com. No. 732, transmitting H.C.R. No. 33, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION ACKNOWLEDGING THE MONTH OF SEPTEMBER AS NATIONAL OVARIAN CANCER MONTH AND GYNECOLOGICAL CANCER AWARENESS MONTH," which was adopted by the Senate on May 1, 2008.

Sen. Com. No. 733, transmitting H.C.R. No. 164, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A STUDY ON THE IMPACT OF ACT 226, SESSION LAWS OF HAWAII 2007, ON NURSE AIDES WHO ARE EMPLOYED IN STATE-CERTIFIED OR STATE-LICENSED HEALTH CARE SETTINGS TO PROVIDE A BASIS FOR THE LEGISLATURE TO DECIDE WHETHER TO AMEND ACT 226, SESSION LAWS OF HAWAII 2007," which was adopted by the Senate on May 1, 2008.

Sen. Com. No. 734, transmitting H.C.R. No. 230, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION RECOGNIZING THE WEEK OF SEPTEMBER 1 – SEPTEMBER 7 AS HAWAII LABOR HISTORY WEEK," which was adopted by the Senate on May 1, 2008.

Sen. Com. No. 735, transmitting H.C.R. No. 231, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY THE COST OF CONVENING A CONSTITUTIONAL CONVENTION," which was adopted by the Senate on May 1, 2008.

Sen. Com. No. 736, transmitting H.C.R. No. 358, H.D. 1, entitled: "HOUSE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO ESTABLISH A TASK FORCE TO SOLICIT PUBLIC INPUT AND EXAMINE METHODS OTHER THAN THE PUBLIC PROCUREMENT CODE PROCESS TO OVERSEE PUBLIC, EDUCATION, AND GOVERNMENT ACCESS ORGANIZATIONS' EXPENDITURES AND ENSURE PROPER CHECKS AND BALANCES," which was adopted by the Senate on May 1, 2008.

Sen. Com. No. 737, dated May 1, 2008, informing the House that the Senate has this day overridden the veto to S.B. No. 868, S.D. 2, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 738, dated May 1, 2008, informing the House that the Senate has this day overridden the veto to S.B. No. 2779, H.D. 2, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 739, dated May 1, 2008, informing the House that the Senate has this day overridden the veto to S.B. No. 2828, S.D. 2, H.D. 2, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 740, dated May 1, 2008, informing the House that the Senate has this day overridden the veto to S.B. No. 2898, S.D. 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 741, dated May 1, 2008, informing the House that the Senate has this day overridden the veto to H.B. No. 7, H.D. 1, S.D. 1, by a two-thirds vote of all members to which the Senate is entitled.

Sen. Com. No. 742, dated May 1, 2008, informing the House that the following bills have this day passed Final Reading in the Senate:

H.B. No. 357, HD 2, SD 1, CD 1
H.B. No. 1412, HD 1, SD 1, CD 1
H.B. No. 2293, HD 1, SD 2, CD 2
H.B. No. 2505, HD 2, SD 2, CD 1
H.B. No. 2507, HD 1, SD 2, CD 1
H.B. No. 2531, HD 1, SD 2, CD 1
H.B. No. 2704, HD 2, SD 1, CD 1
H.B. No. 2843, HD 2, SD 2, CD 1
H.B. No. 2863, HD 2, SD 2, CD 1
H.B. No. 2872, SD 2, CD 2
H.B. No. 2978, HD 1, SD 2, CD 1
H.B. No. 3120, HD 2, SD 1, CD 1
H.B. No. 3352, HD 2, SD 2, CD 1
H.B. No. 3377, SD 2, CD 1
S.B. No. 156, SD 2, HD 2, CD 1
S.B. No. 644, SD 3, HD 3, CD 1
S.B. No. 871, SD 2, HD 2, CD 1
S.B. No. 1804, SD 2, HD 2, CD 1
S.B. No. 2082, SD 2, HD 1, CD 1
S.B. No. 2083, SD 2, HD 1, CD 1
S.B. No. 2198, SD 2, HD 2, CD 2
S.B. No. 2262, SD 1, HD 2, CD 2
S.B. No. 2423, SD 2, HD 2, CD 1
S.B. No. 2499, HD 1, CD 2
S.B. No. 2646, SD 2, HD 2, CD 1
S.B. No. 2850, SD 2, HD 2, CD 1
S.B. No. 2915, SD 2, HD 1, CD 1
S.B. No. 3174, SD 2, HD 2, CD 1
S.B. No. 3252, SD 2, HD 2, CD 1

Sen. Com. No. 743, dated May 1, 2008, informing the House that the Senate has this day reconsidered its action taken on April 23, 2008, in disagreeing to the amendments proposed by the House and has this day adopted the following Senate Concurrent Resolution:

S.C.R. No. 210, HD 1 — "APPROVING THE ACTION OF THE BOARD OF LAND AND NATURAL RESOURCES RELATING TO A LAND EXCHANGE."

Sen. Com. No. 744, dated May 1, 2008, informing the House that the Senate has on April 29, 2008, reconsidered its action taken on April 8, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments and that said bill has this day passed Final Reading:

S.B. No. 2169, SD 1, HD 1 — "RELATING TO LIQUOR LICENSES."

Sen. Com. No. 745, dated May 1, 2008, informing the House that the Senate has on April 29, 2008, reconsidered its action taken on April 3, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments and that said bill has this day passed Final Reading:

S.B. No. 2584, SD 2, HD 1 — "RELATING TO HONEY."

Sen. Com. No. 746, dated May 1, 2008, informing the House that the Senate has on April 29, 2008, reconsidered its action taken on April 10, 2008, in disagreeing to the amendments proposed by the House to the following Senate Bills and has moved to agree to the amendments and that said bill has this day passed Final Reading:

S.B. No. 1491, SD 1, HD 2 — "RELATING TO CONTROLLED SUBSTANCES."

S.B. No. 1720, SD 1, HD 2	"RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST JACOBY DEVELOPMENT, INC., A PROCESSING ENTERPRISE."
S.B. No. 2034, HD 2	"AUTHORIZING THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST OCEANLINX HAWAII LLC."
S.B. No. 2040, SD 1, HD 2	"RELATING TO CANCER SURVEILLANCE."
S.B. No. 2263, SD 2, HD 1	"RELATING TO THE UNIVERSITY OF HAWAII."
S.B. No. 2433, SD 2, HD 1	"RELATING TO IOLANI PALACE."
S.B. No. 2808, SD 2, HD 1	"RELATING TO ENVIRONMENTAL IMPACT STATEMENTS."
S.B. No. 3019, SD 1, HD 2	"RELATING TO INSURANCE."
S.B. No. 3190, HD 1	"RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST SOPOGY INC., IN THE DEVELOPMENT OF RENEWABLE ENERGY ON THE ISLAND OF OAHU."

Sen. Com. No. 747, dated May 1, 2008, informing the House that the following Senate Resolution was adopted by the Senate:

S.R. No. 144	"INFORMING THE HOUSE AND GOVERNOR THAT THE SENATE IS READY TO ADJOURN SINE DIE."